

Land Reform, Poverty and Empowerment of Women in Guatemala



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Abbreviations and Glossary

AVANCSO	Asociación para el Avance de Ciencias Sociales en Guatemala (Association for the advancement of the Social Sciences in Guatemala)
CONTIERRA	Institution responsible for mediation of land conflict
CNOC	Coordinadora Nacional de Organizaciones Campesinas (National Coordinator of Farmers Organizations. Umbrella organization)
CUC	Committee of Farmers Units
ECA	Empresa Campesina Asociativa (Associative Farmer Enterprise)
FAO	Food and Agriculture Organization of the United Nations
FIAN	Food First Information and Action Network
FONTIERRAS	Fondo de Tierras (The Land Fund)
FLACSO	Facultad Latinoamericana de Ciencias Sociales (Latin American Faculty of Social Sciences)
GANAN	Grand Alianza Nacional (The Great National Alliance) (Party)
GDI	Gender-Related Development Index
HDI	Human Development Index
IADB	The Inter-American Development Bank
IFAD	International Fund for Agricultural Development
INE	Instituto Nacional de Estadísticas (The National Statistics Institute)
INTA	Instituto Nacional de Transformación Agraria (National Institute of Agrarian Transformation)
INTRAPAZ	Institute for Analysis and Transformation of Conflicts for the Construction of Peace in Guatemala
MAGA	Ministry of Agriculture and Livestock
MINUGUA	United Nations Verification Mission in Guatemala
NGO	Non-governmental organization
NPA	Norwegian People's Aid
PAN	Partido de Avanza Nacional (The party for national advancement)
RIC	Registro de Información Cadastral (The Registry of Cadastral Information)
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
URNG	Unidad Revolucionaria Nacional Guatemalteca (Guerilla coalition that became a political party)
UTJ-PROTIERRA	Unidad Técnica Jurídica – Protierra
SEPREM	The Presidential Secretariat for Women
Alianza de Mujeres Rurales	Umbrella organization for women's rights.
Camara del Agro	Organization representing the large landowners.
Kab'awil	Farmers' organization with Maya philosophy, but not exclusively indigenous members. Part of CNOC.
K'iche	One of the Maya languages
Machismo	Attitudes and behaviors which represses and marginalizes women in relation to men, because they are women.
Plataforma Agraria	Umbrella organization of farmers' organizations.

Map of Guatemala



Source: <http://www.lib.utexas.edu/maps/guatemala.html>

1. Introduction

Poverty continues to be one of the world's largest problems, and more than one fifth of the world's population – over one billion people – continue to live in poverty. A majority of the poor live in rural areas, and small-scale farmers and landless laborers are among the most affected. They depend on unstable work opportunities and low wages, and access to assets such as land, water and credit is crucial to escape from poverty. Such poverty has its deepest roots in inequality between rich and poor. Therefore, the issue of asset redistribution to reduce inequality is back on the international agenda, and land reform is seen as major strategy towards the achievement of this goal. As a recent FAO (2004: 3) report puts it, this skewed distribution of land and other resources “remains an entrenched obstacle to poverty alleviation”. Moreover, the recent development discourse has increasingly focused on gender inequality, especially among rural women. The most recent example of this is the annual report from the UN's population fund (UNFPA 2005), which observes that without gender equality, eradication of poverty is impossible. There is also an increasing focus on women's access to land, and the empowering effects of this. Although between 60% and 80% of all food crops in the developing world are produced by women, they face obstacles in accessing and controlling land (Ziegler 2002:10), often due to a misconception of the man as the farmer.

In Latin America, high levels of inequality make for grim prospects for those who are trying to escape from the poverty trap, especially when it comes to land distribution. The region has the highest Gini coefficient for land holdings in the world, about 59, as compared to Africa's 49 or Europe's 25 (FAO 2004:7). In the general development discourse, there is an increased focus on inequality with regards to poverty reduction. In this light, redistributive land reform is seen as one of the possible solutions to reduce both inequality and poverty. Central America is the region in Latin America characterized by the most unequal distribution of land, and Guatemala is a textbook example. The country has one of the most unequal distributions of land on the whole continent and is one of the poorest nations. After 36 years of civil war which left large groups in the population displaced and with scarce means to support themselves, Guatemala's Gini score for land distribution is 86 (FAO 2004: 25). The

Peace Agreements of 1996 clearly state the need for land reform, and how this is to be implemented, as well as the importance of women's rights in relation to this. However, as the FAO (2005a) observes, policymakers are often "gender blind" as well as biased, and see "farmers" as a predominantly male group even though "the empowerment of women is key to...enhancing the living conditions of rural populations".

1.1 Research questions

This is a study of the relationship between land reform or access to land and poverty among female farmers in Guatemala, to be analyzed with the help of three sets of interrelated questions.

1. From a theoretical perspective, what is the relationship between land reform and poverty reduction on the one hand, and empowerment of women on the other? How, and when, does land reform work to diminish inequality?
2. What is the content of, and context for, land reforms in Guatemala? What are the historical antecedents of the land situation? How effective have the land reforms been in redistributing land and reducing poverty so far, and why? How has the country's political structure played a role in this process?
3. Does the gender aspect included in the reforms have any effect? What is the impact of the Guatemalan land distribution process on female empowerment and food security? Are women included in the process of acquiring land? What is their role in the management of collective land holdings? Does land ownership give women greater control over family income or increased ability to make meaningful choices? What, if any, are the differences, in this respect, between married women and widows or single mothers?

1.2 Why study access to land, poverty and empowerment in Guatemala?

One of the major challenges in reducing poverty is the unequal distribution of land and the insecure tenancy or land ownership structures within many developing countries. This uneven structure makes investment in the future almost impossible for those who cannot afford risky investments. It is with this in mind that the International Land Coalition highlights that secure "access to land, water and related productive assets is

basic to lasting solutions to hunger and poverty”.¹ Focusing on women involved in agriculture and the extent to which they enjoy access to productive land is important for an understanding of the factors that influence both poverty reduction and empowerment. By studying how land reform is functioning and being implemented in Guatemala, the thesis offers new insight on the relationship between land reforms and the reduction of poverty and inequality.

1.2.1 An historical background

The Republic of Guatemala stretches over 108 9000 km², has approximately 12 million inhabitants and borders with Mexico, Belize, Honduras and El Salvador. The country is comprised of eight regions and 22 “departamentos” or provinces (INE 2002: 12-13). In spite of being the most densely populated country in Central America, and with the largest economy, it is the least urbanized (World Bank 2003a:5).² While most of the population is rural, “less than 1% of landowners hold 75% of the best agricultural land” (Tanaka and Whitman 2003a:6) and it is estimated that about 56% of Guatemalans live in poverty (GUAPA 2003:i).³ For the indigenous population this estimate is 76% (ibid). The rural population, especially the indigenous groups, largely affected by lack of primary education and economic possibilities, experience massive exclusion on the economical, social and political levels (World Bank 2003a:5).

Guatemala has as long standing problem with high levels of inequality in distribution and - like in most parts of Latin America - land has been a source of conflict for centuries. One might say that the first land reforms were those that involved the forced redistribution of land from the poor, largely indigenous groups, to the Spanish and, later, ladino population. Initially land, and the population living on it, was given by the Spanish Crown as rewards to Spanish soldiers or other prominent Spaniards. In later periods indigenous (communal) land was expropriated and sold to foreign companies for export production of for instance banana and coffee.

In the 1950s, under the government of Jacobo Arbenz an attempt at a state-led and centralized redistributive land reform was made. The state expropriated all land above a set “land-ceiling” and returned it to the largely indigenous population who originally

¹ <http://www.landcoalition.org>

² Cited in Thomassen (2003:5).

³ Poverty is here measured by income although the report also considers other dimensions of poverty at a later stage.

occupied it. This provoked a CIA-backed *coup d'état* and the new military government swiftly annulled the reforms (Shcooley 1987:21). This, according to Thiesenhusen (1995), effectively cemented the unequal land distribution of Guatemala for decades to come. A succession of military dictators, and the civil war that followed did not improve the situation.

After the 1996 Peace Agreements between the guerrilla URNG (which subsequently became a political party) and the PAN government of Alvaro Arzu, hundreds of thousands of internally displaced people (ICVA/GRICAR)⁴ are trying to return to land they most likely held without formal title or to acquire new land. Most of this land was, however, already given to other forcibly displaced people or annexed by the military forces and other large landowners during the conflict. The Peace Agreements⁵ were negotiated with the supervision of the United Nations and represents a break with repression and persecution of advocates for social reform, justice and respect for human rights. The redistribution of land to returnees and other landless groups as well as the historical rights of the indigenous, largely Maya, population is included in the Agreements, in addition to other elements of social and economical reform. However, the Agreements have not been fully implemented. A MINUGUA⁶ report (2002:3) points out that especially “indigenous peoples, women and rural workers” have yet to see any substantial results from the agreement. In particular, the Agreement on the Social and Economic Aspects and the Agrarian Situation is important as it is here that the most relevant elements of the land reforms are highlighted. It documents that the land reforms must include the opening of a land fund and other funding mechanisms, guaranteed provision of technical assistance to the fund’s clients and the provision of basic infrastructure and access to markets (Armon et.al 1997: 60).

Guatemala today is democratic to the extent that there is a multiparty system with regular elections to a unicameral congress and the election of a president by popular vote. However, due to the increased incidence of political and criminal violence as

⁴ Cited in Volløyhaug (2004:5). The same source estimates that as many as 200 000 Guatemalans fled to Mexico during the civil war.

⁵ For a thorough representation of Guatemalan history, the peace process and key actors see Armon et.al 1997.

⁶ UN Verification Mission to Guatemala.

well as widespread corruption, a recent Freedom House report places Guatemala in the “partly free” category, highlighting that the military is still a dominant political force (Freedom House 2004;2005), and the UN has detected “worrying signs of militarization within the civilian authorities” (MINUGUA 2002:2). The current president, Oscar Berger, belongs to a family of landowners and during his presidency violence in connection with ownership and control of land has increased rapidly, leading to the deaths of both farmers and policemen (WOLA 2004:1). Thus, it is clear that the country’s history still plays a role in politics and in determining the effect of the reforms.

1.2.2 Women in Guatemala

Central America is the region of Latin America with the highest occurrence of rural female poverty (UNDP 1998:2), largely due to the violence of civil wars. The wars left many women as sole breadwinners with head of household responsibility but without the same rights as males. Guatemala also scores low on the UNDP’s Human Development Index (HDI),⁷ ranking 117 of 177 countries in 2003, and does poorly on the Gender-Related Development Index (GDI)⁸ being 94th of 144 countries (UNDP 2005: 221, 301). In addition, as many as 50 000 were widowed due to the violent conflict, most of them young mothers (UNDP 1998:2). The structural adjustment programmes of the 1980s led to high numbers of male migration to the urban areas in search for work, leaving the women with increased household responsibility, thereby resulting in an increase in the number of female-headed households. Nevertheless, an estimated 57% of all female-headed-households have no access to land (Baumeister 2002:2) and a World Bank country study (2004:17) highlights that “girls and women face cumulative disadvantages in Guatemala, reflecting historically exclusionary policies (for example in land and education) and a general culture of *machismo*”. Women in the Central Americas are facing triple discrimination on account of their identities as female, indigenous and farmers. Among the measures to improve this situation is the Land Fund Law which declares that husband and wife have equal ownership rights to the land the family receives with means from the Land Fund

⁷ The HDI is an index which measures a country's average achievements in three basic aspects of human development: longevity (life expectancy), knowledge (enrollment in education), and a decent standard of living.

⁸ The GDI is the HDI adjusted for gender differences.

(Fontierras 1999: art. 20). Furthermore, in 2003, the Land Fund created a separate unit for gender issues and a “Gender Policy” in order to ensure that the providers of technical assistance and other employees of Fontierras are sensitive to the situation of women farmers and the importance of their participation in agriculture and the community in general (Fontierras 2003a).

1.3 Methodolgy

This is a case study of the relationship between access to land, poverty and empowerment of women in south-western Guatemala (see map page v). Yin (2003:13) defines a case study as “an empirical enquiry that: investigates a contemporary phenomenon within its real-life context, when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used”. He sees case studies as being especially useful when one is trying to answer a “how or why question” about a contemporary situation (ibid: 9). Moreover, it is clear that Yin sees case studies as particularly relevant when one wishes to focus on contextual factors. In any study of land reform and poverty there are many contextual factors and the relationship between access to land, poverty and empowerment is very complex. The problem may therefore be more fruitfully studied through a case study than through solely quantitative techniques. However, in a case study, Yin (ibid:8) highlights, it is of essence to focus on data reliability and triangulation, because a case study’s “strength is its ability to deal with a full variety of evidence”. Thus, reliability and validity of the data is of crucial importance for the results of the study to be scientifically meaningful. One way to accomplish this is to triangulate the data being used. In this study I have used a qualitative approach, with semi-structured interviews as the main source of information, supplied with secondary sources such as statistics, books, articles and reports on the subject, as well as observation and participation. In any case study there will always be an element of observation on the part of the scientist (Yin 2003:93) and observation of people’s clothes or homes while conducting interviews may provide additional information. Using observation therefore aids in triangulating data. The result of this triangulation of sources is that one may shed light on different aspects of the case, and thereby answer the research questions more fully.

1.3.1 Fieldwork in Guatemala

My fieldwork took place from the beginning of June to the beginning of August 2005. I was based in Guatemala City and conducted a large part of my interviews there. Most of my secondary sources from Guatemala were also gathered in the capital, as this is where most documentation centres of international institutions, civil society organizations and universities are. The remainder of the interviews were conducted in the South West of Guatemala.

Secondary Sources

Secondary sources were gathered both in Norway and in Guatemala, and include books, articles, reports, research papers and statistics. These have been produced by a variety of sources, including government institutions, international organizations, journalists and national NGOs and social organizations to provide several angles to the topic. Yin (2003: 85) highlights that “documentary information is likely to be relevant to every case study topic”. It is, however, crucial to corroborate this type of data with interview data and observation to ensure both the reliability and validity of the written sources. Moreover, when dealing with an issue that causes much controversy, like the “land question” does in Guatemala, it is especially important to obtain documentation from several sources, to ensure representation of several points of view, and to discover any misrepresentation of facts. Gathering statistics in Guatemala has, however, been a challenge, and there are few reliable sources to choose from.

Primary Sources

Qualitative interviews, according to Rubin and Rubin (1995: 3), are “an extremely versatile approach to doing research”, and the semi-structured approach that I have used has given me in-depth information that would otherwise have been inaccessible. It is always important to be aware of culture as a factor in the interviews. Being culture sensitive (Grønmo 1996:91) means that we phrase questions according to the conditions and surroundings in order to avoid misunderstandings, pressuring or offending the informants as this could influence their answers and thereby the reliability of the study. When choosing informants, aside from their relevance for the topic, Rubin and Rubin (1995:66) propose using three criteria to ensure full coverage of a theme – knowledge, willingness to talk and representation of different points of

view. I complied with this, interviewing people from different sectors of public life, both within the government, bureaucracy and civil society. Obtaining an official interview with the large landowners' organization proved to be difficult, but I did talk to several of its members, and therefore feel I got some insight into their side of the story as well. Furthermore, I conducted interviews in six different communities of poor farmers, both with and without land. I speak Spanish fluently and therefore had few language barriers in the communities. On one occasion there were a few women present who only spoke the indigenous language *Ki'che*. The other women, and my travel companion, translated for us, and there is of course always a risk that some information might be misunderstood or lost in translation. However, the information from the *K'iche* speaking women is consistent with that of women in other communities.

1.3.2 The case study area

Upon arrival in Guatemala City I conducted several interviews with experts in the fields of “the land question”, female empowerment, poverty and the situation of the indigenous people, as well as activists from different farmer organizations and members of the bureaucracy.⁹ These interviews were instrumental in my final choice of a case study area, the provinces of Suchitepequez and Quetzaltenango in the Suroccidente.¹⁰ I applied two main criteria for deciding on an area. Firstly, the existence of collective plantations that had gained their land through the market-led reform program and the Land Fund and secondly, high levels of rural poverty in the region.

In light of these two criteria, I chose to focus on two neighboring provinces in the Suroccidente: Suchitepequez and Quetzaltenango (see map page v), which are characterized by high levels of poverty and an agrarian structure that largely involves enormous plantations and exploitation of landless or land-poor seasonal laborers.¹¹ Administratively speaking Quetzaltenango and Suchitepequez are covered by the

⁹ Dr: Gustavo Palma of the independent research organization AVANCSO and Ivan Monzon from Intrapaz, Rafael Landívar University gave especially valuable advice in the selection process, as did Rigoberto Saloj of NPA and several others.

¹⁰ This literally means south west, but in accordance with World Bank (2004), I will use the original terms as they also serve as names for the regions.

¹¹ In Quetzaltenango the South is characterized by plantations, the northern highlands by small-scale agriculture. My study was conducted in the southern parts.

Fontierras regional office in the city of Quetzaltenango,¹² which covers the eight provinces in eastern Guatemala and which is one of four regional offices across the country.

In the Suroccidente 64% of the population are classified as poor, 17% live in extreme poverty¹³ and more than half of all children under five are stunted (World Bank 2004:34, 117). This is also a reflection of poor level of women's health and the country's "extremely high levels of maternal mortality" (ibid:17). Poverty in Guatemala is highly rural (ibid:167) and both in Suchitepequez and Quetzaltenango about half of the population is classified as rural (INE 2002:18).¹⁴ This population is both more vulnerable to poverty and more affected by programs of land distribution than urban groups.

Quetzaltenango has 24 municipalities and Suchitepequez has 20. In Quetzaltenango 59.6% of the population is indigenous, whereas in Suchitepequez they comprise 57.4 % of the inhabitants, and aside from Spanish, the Maya languages *K'iche* and *Kaqchikel* are predominant in both provinces. The indigenous peoples comprise under half of the national population, but 57.6 % of the poor. Because of their historical rights to land and overrepresentation in the poor population, they are an important part of any study of land reform, although my focus is not on any particular ethnicity. In my chosen communities, a mix of ethnic groups was present, although the majority was indigenous. In terms of land distribution Suchitepequez and Quetzaltenango have 721 plantations of 45.06 to 2253 hectares of which only 177, or 24.5%, are owned collectively by different groups of farmers (INE 2003). This demonstrates that although some land has been distributed, there is still a large amount of land concentrated on a few hands, and the provinces are thus a picture of the general Guatemalan land situation. They also mirror the rest of the country in the fact that a large part of the distributed plantations are coffee plantations, many of which were closed down during the international coffee crisis which peaked five years ago. The importance of a gender focus is exemplified by the fact that only one in four of the

¹² Quetzaltenango is the capital of the province with the same name, and will be referred to as the city of Quetzaltenango to avoid confusion.

¹³ The extreme poverty line is calculated to be Q1,912 for the minimum caloric requirement. The full poverty line is calculated to be Q4,319, and includes an allowance for non-food items in addition to consumption. (Q 7,5 = 1 USD).

¹⁴ Suchitepequez 68.9%, Quetzaltenango 44.8%.

household heads in the two departments receiving land from Fontierras are female (Fontierras 2003a:41), making them representative also in this respect.

Most plantation communities in Quetzaltenango and Suchitepequez grow both subsistence and cash crops. Maize and beans are grown on most collectively owned land because they are staple foods. The maize is present in all the three main meals of the day, as tortilla, which accompanies almost any food. The cash crop production includes sugar canes, coffee, banana, cocoa, followed by various fruit trees such as papaya, mango and orange (INE 2003). Perhaps one of the most important cash crops, especially for the collectively owned plantations, is rubber. Many communities destine the income from rubber to repay the loan from Fontierras. However, some of the plantations were not able to produce as much as they had originally thought because the rubber trees did not yield the estimated quantities. This led the farmers to feel highly vulnerable as to the security of their land. Depending on this cash crop for the security of access to land also makes them very vulnerable to changes in the macro economy.

Within this region I chose six different communities with and without land. The six communities were chosen because they display a variety of stages of the process of accessing land and managing it afterwards as well as for their geographical location in the departments of Quetzaltenango and Suchitepequez.

1.3.3 Reflections on fieldwork

Conducting fieldwork in another country and a different culture is always a challenge. In general, people were helpful and friendly, although I did experience difficulties in reaching some members of the government and some parts of the bureaucracy. As is to be expected, the opposition and social organizations were much more forthcoming, as were the representatives of the international cooperation. There was also a difference in the extent to which the members of the communities opened up to me.

After choosing the case study area, I conducted several visits to the city of Quetzaltenango in the Suroccidente where both the regional offices of the Ministry of Agriculture and the Land Fund are situated. Moreover it is the headquarters of the farmer organization *Kab'awil* which was extremely helpful both in the selection of communities within Quetzaltenango and Suchitepequez and in helping me gain access

to them. The Guatemalan farmers are generally sceptical of outsiders and it was crucial to be presented to them by someone they trusted. I therefore took part in a two day workshop in Totonicapán with members from different communities and presented myself and my project to them. After they got some insight into my work, and I got some insight into the differences between the communities we came to an agreement as to where I should go, and how to organize this. I then returned to Guatemala City for some scheduled interviews before going back to the city of Quetzaltenango to start my journey of six different communities.

All in all I spent almost two weeks in the city of Quetzaltenango and a week in the different communities. Although it could have been fruitful to spend more time in the country side, this would mean having less time with informants in the cities who also provided me with valuable information and an overview. Moreover, the time in the case study area was extremely well spent. I travelled with members of *Kab'awil*, one of which was a former landless farmer who had received land, and we were constantly discussing the topic. This gave me valuable informal information that I might not have gotten from a typical interview. Moreover, as I had been to the workshop, there was always some one who “knew” me when I arrived in a community which made starting the conversations easier. Because I had made a programme for my trip, the farmers knew I was coming and I therefore got to do group interviews with the women alone first, enabling them to speak more freely than if interviewing them in their homes with their husband present, although I also had one experience where the men voiced their dissatisfaction with my decision to talk to the women on their own. This incident did, however, also provide me with information on the situation of women. I would therefore argue that the fieldwork was conducted in a way that provided me with the information that I needed both on the micro and macro levels.

1.4 Thesis outline

In chapter two the theoretical background for the case study will be thoroughly presented and followed by an analytical framework. I will in chapter two also draw some lines from other experiences of land reform across the world. In chapter three I will give a brief overview of the history of the land issue, describe the current situation and then go on to present my analysis of the reforms. Thereafter, in chapter four I will

present the effects the reform has had on poverty levels and on the empowerment of women. Finally, in chapter five, I will present my conclusions.

2. Theoretical approach

2.1 *Introduction*

More than 1.2 billion of the world's population survive on less than a dollar a day, and are classified as extremely poor by the United Nations (UNDP 2003:1). Although Africa is the region with the highest levels of extreme poverty, Latin America is at the top of the list when it comes to inequality in distribution of wealth, as the poorest 20% of the population receive 3% of the income while the wealthiest 20% receive 60%. In total approximately 64% of the rural population live below the poverty line (IFAD 2002:3). The main focus of this study is to analyze the relationship between access to land, poverty and empowerment in Guatemala. I will present a brief theoretical overview of the conceptual framework, starting with poverty measurement and land reform theory. Thereafter the theoretical connections between land reform and poverty reduction will be presented, as well as definitions of food security and basic needs as measurements of poverty in this context. This will be followed by a presentation of the relations between empowerment and land reform, in the course of which empowerment will be defined. In the last part of this chapter I will return to my research questions and their operationalization in relation to the field study I have undertaken.

2.2 *Poverty*

Definitions of poverty range from definitions in absolute to relative terms, from being seen as income related to being defined as social exclusion or as increased vulnerability. Relative poverty means being deprived if compared to the rest of society. From this point of view poverty equals a situation where people do not have the means to fill their social roles, or do what its expected of them "as members of a society", such as invite friends to their house, take holidays or enjoy other activities (Townsend 1993:36). Proponents of an absolute definition of poverty would argue that while these people may experience deprivation, this is not the same as, and should therefore be defined distinctly from, absolute poverty. Sen (1984), among others, sees poverty as having an absolute core and fears that lenient use of "poverty" as a concept will stand in the way of poverty reduction and good research on the topic.

The conventional measurement of poverty is that of income or consumption levels which are compared to a poverty line. The poverty line can be both national and international depending on the scope and type of study. For comparative measurement between nations or regions, the most common poverty lines are the two dollar a day poverty line, and the one dollar a day extreme poverty line. For consumption, the intake of less than 1960 calories a day is defined as hunger (UNDP 2003:1). In this category we also find the Human Development Index, which is based on life expectancy, education enrollment levels and standard of living.

In recent times, representatives of the participatory approach to poverty measurement see the conventional approach as too narrow because poverty is “multidimensional and has important non-economic dimensions” (Narayan 2000:43) in addition to deprivation, such as vulnerability and powerlessness (Khan 2000:26). Vulnerability as a dimension of poverty can be measured as ability to sustain macro economic shocks or other changes in the economy. The human development approach is one that incorporates many of the participatory definitions, and Sen’s entitlement approach is a part of this. The entitlement approach holds that essentially what matters is not the general availability of food, but a person’s *right* or ability to command that food by way of her commodities such as land ownership or income. It therefore follows that to measure and reduce poverty it is necessary to focus on how to strengthen people’s entitlements.

2.3 *Land reform*

Land reforms entail not only a redistribution of land, but a structural change in the agrarian system that decreases inequality in landholdings, greatly improving access to land by the rural poor, as well as providing secure tenure for land laborers (Ghimire 2001:7). In English one (ideally) separates land reform and agrarian reform, the former relating to redistribution of land, and the latter to improvements in agriculture. In Spanish “*reforma agraria*” covers both these terms. It has been shown that successful land reforms also must include aspects of agrarian reform, such as technical assistance and other means to improve crop yield. Therefore, land reform and agrarian reform will, in accordance with Thiesenusen (1989:7), be used as interchangeable terms in this study.

There are two main categories of land reform. One is the state-led reform pursued with some success in Asia, such as in Taiwan and The Republic of Korea (Ziegler 2002:9), and characterized by centralized structures and control. In this type of reform it is common that land ceilings are set, and the remaining land is confiscated by the state and redistributed. Asia is one of the regions that have markedly more success stories in redistribution of land and one may therefore be tempted to “look to Asia” to find the key to redistribution. However, Thiesenhusen (1989) highlights that a comparison between regions as different as Asia and Latin America is almost as problematic as comparisons across timelines. This is due to the simple fact that the pre-reform land tenure structure was very different in Asia and Latin America (Binswanger & Deininger 1996:73). Where the Asian landless already operated as managers of their own rental land, the Latin American structure was, and to a large extent still is, characterized by the *latifundio-minifundio* dualistic structure.¹⁵ The *minifundistas* or small scale farmers usually had their own small plot for food crops on a larger estate, owned by the *latifundista* (owner of vast amounts of land), and divided their time between plantation work and their own crop. Land reform in Asia often involved changing the ownership rights to a piece of land which the farmer had always cultivated and lived off. In Latin America on the other hand, land reform requires more physical movement of landless farmers to new plots or cooperative take-overs of plantations. There is also another very important distinction. Where Asian farmers were used to making their own decisions, most *minifundistas* had no managerial experience. This means that technical assistance and training for new farmers is much more vital in Latin America than it ever was in Asia.

Another drawback of the state led reform is that it often leads land owning elites to try to block the distribution process or slow it down. This is often done by corruption, violence or by dividing up the land within the family so that each member owns a plot that is beneath the land ceiling. In the case of Guatemala in the 1950s this type of reform provoked violent conflicts and a “coup d’etat” which was to lead the country into a 36 year long civil war that lasted until 1996. A valuable lesson in this

¹⁵ The dualistic structure implies that the small scale farmers live on plots too small for subsistence farming, either on or off the plantation. In this way the plantation owner would always have enough hands when they were needed (because the *minifundista* would be desperate for work), but not have to maintain farmhands when they were not needed.

respect can be taken from Taiwan where the previous landed elites were compensated with ties to the industry, and thus did not lose much in wealth or influence. This may smooth the transition in any type of reform.

The market led reforms that are advocated by the World Bank (Deininger and Binswanger 2001; World Bank 2005), and currently at least partially implemented in Guatemala, are designed to prevent some of the negative effects of previous attempts at redistribution.¹⁶ It is this type of market-based land reform that is the focus of my thesis. The aim of the market based land reform is also to redistribute land, but through the market with willing sellers and buyers, not by expropriation (Borras 2003: 370). This redistribution of land is defended both economically and socially. There are many arguments for redistribution of land in any respect; the most often heard are perhaps the following, which connect the reduction of inequality to economic benefit: There is an inverse relationship between farm size and productivity. Small farms have greater productivity potential, are “more efficient and contribute more to economic development than large farms” (Rosset 1999: 1) and are therefore economically sound both for the farmers and the nation (van Zyl et.al 1996:4). The gains of economies of scale in agriculture is “false” because they are a result of “market and policy distortions” that favour large farms (ibid:11). If these distortions are removed it is economically more efficient with a smaller farm size. A higher degree of equality is good for general economic growth as well as for the specific groups that gain access to land (Rosset 1999; FAO 2004). There are also more socially defended equity arguments which relate to land reforms’ possibility to even out marked inequality in rural areas that may lead to greater social stability and ease political unrest (Word Bank 2005b:25).

According to the FAO (2004:16), when land is to be reallocated through the land market, strategic public support, in the form of ‘land funds’ which can lend money to the landless, must be employed to ease the high transaction costs and imperfections of the market that inhibit optimal allocation of land and disadvantage the poor. It is crucial that this type of land reform also has a component of funding for technical assistance to the new farmers to ensure high productivity, as well as infrastructure to

¹⁶ For a review of World Bank views on the land issue, see Deininger and Binswanger (2001).

transport goods and commodities to and from the new plot. It is assumed that the access to land will ease access to other assets, and will provide a possibility for obtaining credit for further investment (FAO 2004:16).

2.3.1 Criticism of the Market-Based Land Reform

The critics of the market based approach point out the dysfunctional land markets, distorted prices and lack of available land and political will as problems with the approach (Ziegler 2002:8). To combat the market asymmetries, it is important that there is also a grant component involved in the funding of the market based land transfers, in order not to leave the new land owners so indebted that their living standard will decrease instead of increase with the new land title (FAO 2004:10). In that case, land reform would increase, not decrease, poverty and inequality. In general it can be said that the prerequisite for land reform to have a poverty reducing effect is that they are “genuinely transformative [...] and redistributive” and that “rural power structures are broken” (Ziegler 2002:9). If this does not happen the effect of land reform on reducing inequality and poverty will not be significant.

Borras (2003) is highly critical of the market-based land reform and uses the examples of Brazil and South Africa to underline his argument. He observes that even its proponents agree that it will only work optimally if the ratio of land supply to demand is 3:1, and that this is a very unlikely situation in many developing countries. Moreover, he claims that in the self-selection process where the prospective buyers organize in cooperatives exclude the “the less promising” because peers will not wish to work with them (ibid:371). This means that the most marginalized groups will not be able to take advantage of this type of land reform. The market-based approach also has a focus on decentralization of the land distribution process which according to Deininger and Binswanger (1999: 267-8)¹⁷ will reduce the bureaucratic sea of information and decrease the possibility to inflate land prices. Borras (2003:389) finds that in Brazil, although the process is decentralized it is controlled by local elites instead of the metropolitan ones, and he is therefore critical of the assumption that

¹⁷ Cited in Borras (2003:371).

decentralization breeds transparency. In his view, the market-based approach must consider power-relations in society more deeply in order for it to function.

Borras' criticism against the model is not groundless, although it may also be true that many land reform processes do not work to the benefit of the poor because governments do not implement the "whole package" that its proponents such as Deininger and Binswanger (1996) see as crucial. Factors that are often missing are things such as proper infrastructure, access to water and sewage, market access, and qualified and extensive technical assistance to new land owners. These are factors that are as important as the actual redistribution of land and if they are not provided many beneficiaries will be forced to sell their land and once again become landless. Nevertheless, the market-based reform is the one that is to some extent implemented in Guatemala, which is the case I will be looking at, and I therefore proceed to link land reform more closely to poverty reduction on the theoretical level. Furthermore, it is of interest to see what factors influence the possibility of this type of reform to be successful.

From the cases of South Africa and Brazil the most striking point is perhaps the importance of an active and well organized civil society, that manages to unite the rural (and sometimes urban) poor to fight consistently for the same cause. The lack of a rural power base for South African civil society is identified as a major weakness (Koch et.al. 2002), whereas the well organized and politically strong MST in Brazil has managed to push the naturally slow process of market led reforms forward. Among other things MST has organized occupations and given a public and political face to the poor's struggle for land and food which is very visible for instance in the "Zero Hunger" programme (Vangstad 2004). These countries are also examples of the struggles of democracy with issues of elite capture and problems of uniting the masses. It seems that the best way to confront this problem is by fostering a strong and politically active civil society.

2.4 Land reform, poverty reduction and empowerment

2.4.1 Food security and basic needs

Food security is a widely used measurement of material poverty. It is also a debated concept that includes much more than secure and continued access to food so hunger is prevented. The FAO defines food security as existing “when all people, at all times, have physical and economic access to *sufficient, safe and nutritious* food to meet their dietary needs and *food preferences* for an active and healthy life”.¹⁸ Food security is not accomplished when large parts of the population only consume maize, beans or rice because they have no other options. Although they may never be in danger of starving to death, they do not have access to nutritious food, nor do they have any choice as to their food preferences. Diversity is necessary both to provide a choice in food, and to increase the production of food, which is necessary to feed an ever growing population. Thus, to increase food security it is essential to focus on the combination of availability and accessibility of food that meets nutrition standards for well-being (Braun et.al 1992:5).

In line with this, Sen highlights that what matters in terms of hunger and poverty is not primarily the availability of food, but a person’s entitlement, or right, to establish command over a certain amount of food. The focus of the entitlement approach is on what “determines the bundles of commodities over which a [person] can establish command” (Banik 2004: 5). If a person has a certain amount of land or income (a commodity), that person has a legal (not moral) right to turn that commodity into food. Likewise if a person is in good health and has labor power (an endowment) she is entitled (provided there is a job) to turn that into a commodity (income) that she again is entitled to turn into food. Thus, a person’s entitlement depends both on what she already has and what she can acquire through exchange. The crucial point here is the focus on the ability to command food. What determines a person’s ability to command food is not primarily the availability of it, but said person’s access to it. Thus, if looking only at food production levels and availability it is possible to classify an area or country as food secure even if large parts of the population do not have the

¹⁸ <http://www.fao.org/spfs/index.asp?lang=en>. Own emphasis in italics.

entitlements to access the food and therefore do not experience food security. Nevertheless, availability is a prerequisite for accessibility.

Finally, the lack of basic needs is a widely applied measure of poverty. Although there is disagreement both on what constitutes “basic needs” and on how it should be measured, it is often applied to provide a wider picture than income or consumption. In the tradition of relative poverty, basic needs can be comprised of many things, depending on the surrounding society. Sen highlights that basic needs might be better measured by looking at basic capabilities, because a person’s capability to avoid undernourishment also depends on her access to health care, medical facilities, elementary education, drinking water, and sanitary facilities (Sen 1992). I therefore do not wish to focus solely on food security. However, it is impossible for a study of this size to encompass all the elements that Sen lists, and I choose to focus especially on food security, shelter, potable water and education as the measurements of basic needs as these are what I found to be the most relevant for the case study area.

2.4.2 Land reform and poverty reduction

In regions where historical cruelty and discrimination explain enormous inequality, land reform can also be defended solely from a rights-based point of view. Indigenous peoples have an historical right to their land and man has a right to food also through access to land (Ziegler 2002:10), and the connections between redistributive land reforms and poverty reduction are many and well documented. In a review of land policies, Deininger (2003: ix) proposes three aspects that will enhance growth and reduce poverty; establishing secure property rights, securing tenure of land, and land transactions. Without secure property rights, he argues, neither redistribution nor secure tenure can be accomplished. In emphasising the importance of secure property rights of the poor, Deininger is in line with the theory of much debated market economist Hernando de Soto. In *The Mystery of Capital* (2000), de Soto presents as a way of poverty reduction, the granting of formal property rights to the poor who are living their lives in the informal economy without formal rights to their land, supported by the simplification of the rules to formalize property. This will give the poor control over the assets that they, according to de Soto, already have, and these may then be used to obtain credit or for other investments.

Critics claim that although the poor need property rights, de Soto oversimplifies and hides the structural reasons for poverty (Bunting 2002), and that he ignores the complexity of overlapping communal land-use (Benjaminsen 2002). Others highlight that legal title means higher possibilities for distress sales in difficult times, which will leave the poor just where they started off, or worse (Glomsrød 2002). Furthermore, de Soto's approach includes no measures to prevent that the formalization of property rights does not cement severe inequality in land distribution. In other words, de Soto does not go anywhere near the word "redistribution", while many of his critics feel that formalization and redistribution must be two sides of the same coin, especially in Latin America. In light of the above, although my focus is on land transactions, I recognize that the two other points are also related to the issue of how one should go about redistributing land. I will however, focus on land redistribution and its connections to poverty reduction and empowerment, because, as FAO (2004:4) observes: In the case of Latin America, "enduring poverty levels in the region that result from high distributional inequalities, in terms of both income and assets (in particular land) highlight the importance of improved asset distribution for poverty reduction and emphasise the potential of land reform to extend the asset base of the rural poor."

The rural poor lack assets, or access to them, and are therefore incapable of reaching a decent standard of living. Land reform could alleviate this because "a more equitable distribution of productive assets, notably land" would help reduce absolute poverty as it will provide "command over food" (El-Ghonemy 1990:91,105). Sen's entitlement approach highlights that the poor's access to assets such as land influences their access to food and thereby their level of food security. The assets, especially land, can be used as a fall-back to temporarily prevent a person from lower levels of food security. An asset can be sold to help a family live through a macroeconomic shock or a "downturn in income flows" (Braun et.al 1992:9; El-Ghonemy 1990:105). If the asset is land, it can also be cultivated for subsistence and increase food security levels. When a family produces and is in control of its own crop and parcel of land, that family has easier access to food. If this food is produced with higher productivity as assumed possible above, it may enable the farmers to save some seeds, money or

other assets instead of using these for daily survival (FAO 2004:11; Ziegler 2003). This provides a security against market imperfections that landless labourers do not have.

Holding land may help also alleviate poverty by improving poor people's access to credit (FAO 2004:6), as they may borrow against the land. This may create a possibility for them to maintain or increase their asset base and enable them to invest in their own future. This is one of the main arguments behind de Soto's theory, but also one that is questioned by Benjaminsen, who claims that a small parcel of land is not enough to interest city bankers to provide credit.¹⁹ If you cannot repay the loan, he argues, what interest does the bank have in that piece of land? He does not, however, entirely dismiss the idea.

Thus, not only is land an asset in itself, but the acquisition of land provides easier access to at least two other major assets, food and credit, thus affecting income and consumption levels and thereby the level of basic needs and food security (FAO 2004:11; Ziegler 2003; El-Ghomeny 1990:105). An increased asset base and reduced poverty levels may lead to people finding themselves with more capabilities to lead the life they wish to lead, and with an increased feeling of empowerment as well as better fulfilment of "basic needs". This may be especially true for women, who are often negatively affected by intra-household differences when it comes to levels of poverty. Other important factors in understanding female poverty levels are social traditions of intra-family divisions of labour and consumption (Dréze & Sen 1989:175). Moreover, Agarwal (2003a:191) claims that there are notable production inefficiencies with gender unequal land distribution, which advocates equal land rights for both sexes as an economic argument. Secure access increases production, and this is an argument both for land reform in general and for gender equality in the reforms (ibid: 196). Agrarian reform also stimulates the non-farm sector in rural areas (Deininger 2003:x, Ziegler 2002:8). The increased income produces higher purchasing power which in turn benefits the non-farm sector and produces growth in the general economy.²⁰ It can therefore be argued that even if the agricultural sector in the long term is not able to

¹⁹ Tor Arne Benjaminsen, NORAGRIC, in panel debate, U-landsseminaret, Oslo, 06.09.05.

²⁰ The discussion of pro-growth in the general economy is outside the scope of this thesis. For a good discussion on the topic see for instance Ravallion (2004).

eradicate poverty as some suggest (GUAPA 2004:v), investing in it will reduce poverty in two ways. It will have a direct effect on the absolute poverty of the rural poor, and it will have a long term poverty reducing effect through stimulation of the non-agricultural sector in the same rural areas. It can therefore be argued that land reform has an important potential for poverty reduction.

2.4.3 Empowerment

Increasing importance is given to the non-material dimension of poverty, and I will focus on empowerment as an aspect of this. There are many elaborate definitions of empowerment, but one captures the core meaning quite well. For Kabeer (2002:19), empowerment “refers to the expansion in people’s ability to make strategic life choices in a context where this ability was previously denied to them”. Furthermore, she underlines the difference between having power and being empowered. People who were always presented with a range of choices may be powerful, but they are not *empowered* because they were never denied that choice to begin with. Empowerment signifies a change in a person’s range of life-influencing choices, and women are a particularly vulnerable and disempowered group which makes them an interesting and important group to study. Kabeer also argues that there is a logical link between poverty and disempowerment because if a person’s basic needs are not fulfilled then she cannot make any meaningful choices in her life (ibid).

Empowerment can, in this context, be seen as *de facto* citizenship, having a possibility to influence and choose your way of life, or of having a voice (Narayan 2003) and is in this way connected to Amartya Sen’s work on the capabilities of the poor. Sen’s capability approach states that “social arrangements should be primarily evaluated according to the extent of freedom human persons have to promote or achieve functionings they value” and that poverty can be seen as “the result of basic capabilities not to function” (Banik 2004:26). Functionings here refer to the things a person may value doing or being (ibid), such as being a mother, having a job, a house or simply not to go hungry. A person’s capability is comprised of the set of valuable doings or beings that person can achieve. Capability thus can refer both to material, so-called “basic needs” such as food, shelter and clothing, but also to non-material “doings and beings” such as feeling empowered, or being empowered. A person’s

degree of poverty can thus be measured by that person's freedom to lead the life of her choice. Feminist philosopher Martha Nussbaum (2000:78) has, based on the capabilities approach, made a list of ten "central human functional capabilities" for the modern world which includes not dying prematurely, the ability to reason, to play, have emotions and to affiliate. Moreover, recent research has led her to place a greater emphasis on "bodily integrity and control over ones environment (including property rights [...])".²¹ This highlights the close connections between capabilities, land rights and female empowerment.

2.4.4 Land reform and empowerment

In the previous section I have highlighted the theoretical connection between redistributive land reform and material poverty and what effect access to land may have on this kind of inequality. Such a connection also exists in the case of access to land and empowerment of women. According to Alsop and Heinsohn (2005:8) "the endowment of a single asset, such as ownership of land, can affect a person's ability to make meaningful choices". Previously, Kabeer (2002:19) observed that becoming empowered meant an expansion of meaningful choices. Moreover, she claimed that poverty and empowerment are closely connected concepts, because a poor person has little ability to make meaningful choices in her life. In the previous section I highlighted how access to land is connected to poverty reduction. However, access to land is also influential with regards to empowerment of women relative to men, and related to women's ability to challenge discrimination within and outside the household (Agarwal 2003a:197). In this respect Katz (2002:54) observes that for instance in Nicaragua there is a positive correlation between women's land rights and their control over land-related income, with women with land rights living in male-headed households controlling over 50% of the income, compared to the 14% of those without land rights. This control over income may give the women more possibility to make choices that influence their lives, and thus to some degree empower them. Moreover, research from Honduras and Nicaragua shows that women with land rights have easier access to credit, which may again influence their choice-making abilities

²¹ For the full list of capabilities see Nussbaum (2000:78).

and sense of self-worth. Therefore, according to Deere and León (1999:x) and Agarwal (2003b), formal land rights give women greater bargaining power both within the home and the community, as well as enhance their confidence and increase the respect they command in the community and thereby facilitate their participation in decision making in the village.

Furthermore, Agarwal (2003b:578) holds that “property rights in general ... are likely to be of critical importance for women” and that in countries with a highly agrarian population, this is especially true for land. Land ownership may give women increased feeling of independence and exit options from a marriage or another dissatisfactory arrangement. Land rights are one important factor that could expand women’s “perceived options” and thereby their empowerment and real options (Agarwal 2003a:189). One should bear in mind that although women do not loudly claim land rights, that does not mean there is no such need among them, but rather, as Sen (2000b:63)²² observes, that the deprived may adapt their preferences and desires as a survival strategy. Thus, women who cultivate their husband’s land may not even think the thought that it should be theirs too. That does not mean that they do not need the land rights, or that this would not empower them. To underline this Agarwal (2003b:579) refers to a study on spousal violence in the south Indian state of Kerala where incidence of long term physical abuse was as high as 49% for non-land holding wives and only 7% for the land holding category, controlled for variables such as economy and level of education. In short, ownership of land is a fall-back position (ibid: 581) and an exit option that may give a woman greater power to make choices and this may “deter” the spouse from abusive behaviour. Thus, land can be a great bargaining power for intra-household decision-making.

In the light of these arguments, and the fact that in Latin America women are less likely than men both to inherit and to be successful buyers of land while at the same time often suffering from intra-household differences (Deere and Leon 2002), it is particularly important to study this connection. More so in the case of Guatemala which is still a largely agrarian nation where, according to the latest population census (INE 2002), over 42% of the economically active population is employed in

²² In Agarwal (2003a:190).

agriculture. This number is probably underestimated as the women are largely classified as economically inactive because of their often non-remunerated work and the tendency to view women's chores as something other than work.

2.5 Operationalization

In previous sections of the chapter, I clarified the theoretical connection between land reform, poverty reduction and empowerment of women, and thereby answered the first of three sets of research questions. I find a strong theoretical relationship between access to land and reduction of poverty and inequality. In particular, the connection between access to land and the empowerment of women and girls is clearly observed.

Firstly, the efficiency and range of the land reform is measured with respect to the number of people who had obtained titles to land as part of the market-based land reforms and after the 1996 Peace Agreements. Access to land is defined as having legal title to the land alone, conjugally or as member of a juridical community of farmers that have collectively bought a plantation. Numbers of beneficiaries of the land reform program and estimated demands for land are obtained from official government records and from civil society or research organizations. I also examine, through the same type of statistics and reports as well as through interviews with activists, bureaucrats and researchers, what areas of the country had been affected by reform and what type of land is being distributed.

I will particularly focus on food security, basic needs and empowerment as aspects of poverty which may be affected by a person's access to land. Food security is multidimensional and it is hard to define one universal indicator for it as many factors are country specific. How to measure it also depends on whether one is measuring country level or household level food security. Braun et.al (1992:7) claim that "food security at the household level is best measured by direct surveys of dietary intake" and this is what I have done in my interviews both by asking direct questions about food intake and by observation. It is also important to include availability of food as a factor, because land cannot increase access to food if there is no food to access (ibid:1). In addition, food security also involves diversity in foodstuffs.

I wish to study whether landholding has any effect on this access to food and thereby food security, as well as on improvements in standards of living measured in

basic needs. Thus, the following questions concerning both the quantity and quality of food available and accessed are important. What is the quality of their diet? How do farmers access food? Is it largely purchased or home grown? Is food available with regularity? Is it unavailable or of poor quality in periods of the year? Is there a possibility of choice in foodstuffs? Is their diet nutritious and varied? These are determinants of food security, and together with observations of, and additional questions about, fulfilment of other basic needs (e.g. housing, water and education) I will be able to provide a multidimensional picture of levels of poverty. Is there adequate housing, what is the standard of the farmers' homes? Is there sanitary facilities and potable water? If there is no indoor plumbing, how far must the women go to fetch water? Is electricity available? How hygienic are kitchen facilities where women spend a lot of time? Is there a primary school in the village? Do all children, boys and girls, go to school, and for how long? Have the women gone to school and know how to read and write? Do they find education important for themselves or for their children?

With regard to my third set of research questions, I found it important to keep in mind that in empowerment studies, it is crucial to recognize that the “disadvantaged may adapt or imperfectly represent their preferences and needs...”, but at the same time remember to “give weight to the voices and stated preferences of the disadvantaged” (Agarwal 2003:508). This is the same phenomenon that Nussbaum (2000:112) terms “adaptive preferences” where women do not realize what their options could be, but rather accept their “lot in life”. These are issues I will take into consideration when I choose to operationalize empowerment by asking the women of Suchitepequez and Quetzaltenango whether they feel that they are being heard, and have a possibility to influence decisions affecting their own lives. This could be in relation to control over land-use decisions and land-related income but also decisions involving children's schooling, nutrition and other income. As outlined earlier in this chapter, I use Kabeer's (2002:19) definition as a starting point, focusing on the possible expansion of the women's “ability to make strategic life choices” that they did not feel they could make before. I also focus on the question of pride and self-confidence, which is an aspect of empowerment as it may change people's bargaining

power. Does the new land title make the women feel more proud and confident? Do they dare speak up in public? Do they feel more confident? What are the roles of men and women in the community, how are tasks shared between them? Do the women see this as “a fair share”? What is the power balance in the family? There are many factors that may influence these issues besides land, and I obtained some information on literacy skills because Nussbaum (2000:295) observes that “Agarwal has shown that literacy is correlated with the ability to obtain land rights” and it would be efficient to include literacy when comparing the situation of land-holding and landless women as the literacy skills may mean that they have a stronger bargaining position to begin with. Moreover, I asked the women if they felt that their situation is different due to their access to land, or would be different if they had access to land, as their self-evaluation is an important indicator of their situation.

3. Land and poverty in Guatemala

3.1 *Introduction*

Latin America has the most skewed land distribution in the world, and Guatemala is one of the region's worst performers. Although redistributive land reform may be necessary, both for economic growth and in order to reduce poverty, the obstacles facing such reforms in an inegalitarian society such as the Guatemalan are many – historical, structural, political and practical. In the next sections I will provide a background to the current situation before proceeding to outline the elements and actors of the current reforms, including the demarcation lines in civil society, as well as commenting on the application process and the gender aspect of the reforms. Thereafter, an analysis of the components of the Guatemalan land reforms will be presented.

3.2 *A brief history of “the land question”*

The “land question”, as it is often called, has a long history in Guatemala, as do high levels of rural poverty. In the 1500s the Spanish Conquest marks the start of the concentration of land on few hands and the highly skewed distribution that persists to this day. The World Bank (2005b:29) observes that in Guatemala “agricultural growth is constrained by unequal access to land [...] absence of technologies for productivity enhancements, weak institutions for technical assistance and broader information about markets”, and that this is an obstacle to both growth and poverty reduction. This situation is a result of a long process, and I will therefore give a brief outline of the history of the agrarian question.

The most drastic attempt at integral land reform occurred during the presidency of Jacobo Arbenz in 1953-54, when 603615 hectares of land were expropriated. Arbenz wanted to create a capitalist agriculture based on small-holdings. This provoked a “coup d’etat” backed by transnational companies, the US government, the Catholic Church and the middle class, and the new government swiftly reversed the reforms and removed the idea of the social function of land from the Constitution (Deere and Leon 1999:3).

In the 1960s, the Alliance for Progress and US President Carter set agrarian reform as a condition for the Latin American countries to receive aid. This led to the creation of INTA (National Institute for Agrarian Transformation) and Decree 1151 in 1962 which specifies as INTA's purpose that of redistributing the remaining state owned land. In the 70s, the cooperatives known as PACs (Collective Agricultural Patrimonies) were constituted on the remaining national plantations and most of all in the colonization area of Petén, which was still a "last frontier" type of province (Fundación Arias/Tierra Viva: 1993). The PACs had to work the land collectively, but when they later transformed themselves legally into Associative Agrarian Enterprises (ECAs), increased independence allowed for cultivation of individual plots as well (ibid:4). After 1986 and the institution of a civil government, INTA changed focus from colonization and opened a "land bank" program, based on buying and reselling land to organized groups of farmers, without interests and with a 25 year pay-back period. Most of the land came from bankruptcies which had the national development bank, *Banrural*, as creditor. According to Berger (1992:199), only 18 plantations were handled by INTA until 1992. In this system, INTA, not the farmers, was the legal owner of the land until the debt was paid off. When INTA was dissolved some groups still did not have title deeds to their land. To resolve this is left to Fontierras.

In 1992 Decree 754-92 created the "land bank" *Fonatierra*, predecessor of Fontierras, for the purchase of voluntarily sold land. This land was then distributed collectively to groups of farmers with conditions of credit (Deere and León 1993:39; Fundación Arias/Tierra Viva 1993:153). Fonatierra operated with market prices, unlike INTA which in the end had sold the land for prices too low to make INTA sustainable.²³

Finally, as a direct result of the 1996 Peace Accords, several institutions were created, (see figure 3.1) all related to the Ministry of Agriculture and Livestock. In 1997, Protierra was created for the development and strengthening of landed property, and in 2001 became UTJ-Protierra, a technical-legal institution under the Ministry of Agriculture and Livestock, with a mandate to provide legal certainty for ownership,

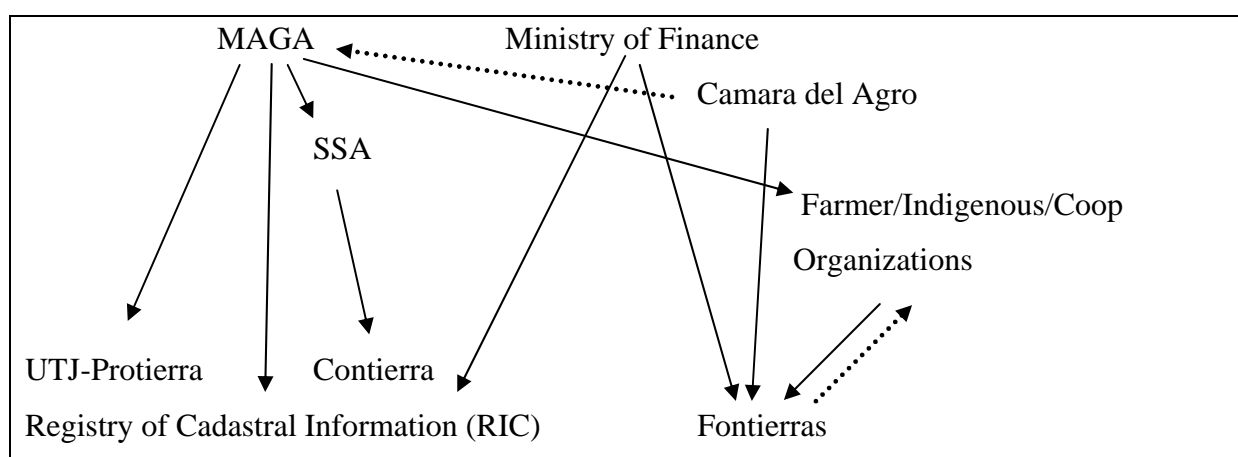
²³ In this period there was also a private initiative called FUNDACEN (The Cent Foundation). It was created by large landowners as early as 1962, but in the late 80s started buying land and selling it in small plots to farmers while also providing credit. During the 90s about 1200 families obtained credit from FUNDACEN (Deere and León 1993: 6).

rent and use of land.²⁴ Also in 1997, Contierra, the institution for land related conflict resolution, was created. It is no longer a separate institution, but a part of the Secretariat for Agrarian Issues. Fontierras, the Land Fund, did not come into existence until 1999, although it began to operate on an interim basis in 1997. A vital institution with roots in the Peace Accords was a cadastre institution, the law for which was not passed until 2005, and still is not in function. I will now turn to these and other institutions currently involved in solving the “land question” in Guatemala.

Figure 3.1 Institutions with mandates from the Peace Accords.

Peace Accord Institutions	Mandate	Established
Contierra	Conflict resolution	1997
UTJ-Protierra	Legal certainty of property rights	1997/2001
Fontierras	Subsidize and support collective purchase of land	(1997) 1999
Registry of Cadastral Information	National cadastre	2005

Figure 3.2 Main actors in the land reform process.



Formal links = ———

Informal links =>

²⁴ <http://www.utjprotierra.gob.gt>

3.3 *The current actors and processes*

3.3.1 **The Ministry of Agriculture and Livestock (MAGA)**

The Ministry of Agriculture (MAGA), its minister and sub-secretariats has a crucial role to play in the issues of rural development and redistribution of land as coordinator and policy developer. It is comprised of several elements, some of which are central to the land issue. One of these is the Secretariat for Agrarian Issues (SAA).

The SAA has several objectives. Having been in existence since 2002, it is responsible for facilitation of the formulation and implementation of agrarian policies, improvement of the agrarian juridical and institutional arrangements, promoting the establishment of necessary strategies for conflicts related to the tenancy, possession or property of land.²⁵ It should have a coordinating function within agrarian politics,²⁶ and now includes Contierra, which is the organ responsible for the mediation of agrarian conflicts. The Secretary of the SSA calls for a long term public policy for land conflict solution, separate from distribution (Hernandez 2005:58). Contierra handles various types of conflict, but the greatest challenge is perhaps the occupations of plantations carried about by some groups of farmers. In this type of conflict, Contierra is to be a neutral mediator, promoting dialogue in the conflict, and purchase of the land if possible (ibid).

UTJ-Protierra is the predecessor and temporary substitute for the Registry of Cadastral Information. Its goal has been to provide legal certainty land holders,²⁷ and since 2000, it has been in charge of a cadastre process in the Petén and pilot projects in some municipalities in a few departments. Nevertheless the institution has named itself the National Cadastre.²⁸ Guatemala lacks a functioning, updated national registry of property, and a coordinator of UTJ-Protierra estimates that maximum 30% of all land is registered,²⁹ while another source estimates that 95% of landholdings are not registered (Tanaka and Wittman 2003b:3). At the same time more than double the area of Guatemala is found in the current registry (ibid). This obviously creates obstacles

²⁵ <http://www.guatemala.gob.gt/index.php/cms/content/view/full/794>.

²⁶ Interview: Ivan Monzon, Researcher, Intrapaz, Rafael Landívar University, 16.06.05, Guatemala City.

²⁷ www.utjprotierra.gob.gt

²⁸ www.utjprotierra.gob.gt

²⁹ Interview: Caryl Alonso, Coordinator for Cooperation and Program Area, UTJ-Protierra, 15.06.05, Guatemala City.

both in ensuring property rights and in the functioning of a land market, making it difficult to establish who rightfully owns the land and is entitled to sell it.

3.3.2 The Registry of Cadastral Information (RIC)

On the 15th of June 2005, Decree 41-05 was passed, after having been debated widely in successive governments, the Congress and civil society for nine years. UTJ-Protierra will now cooperate with, or be incorporated in, this unit. The law calls for the establishment of an autonomous cadastral institution called The Registry of Cadastral Information, with independent jurisdiction and funding. It is expected to establish, maintain and update the national cadastre. Unlike in the autonomous Land Fund unit, there will be no civil society representation in the registry, a fact that has led several organizations to protest against the law. The passing of this law has been a slow and painful process, and one of the reasons that it has been blocked and retarded for so long is the issue of what will happen to “the excesses”.³⁰ Many large plantation owners have feared what will happen to the land they or their ancestors have “acquired” from their neighbours over the years, and some are of the opinion that you cannot punish the living for what their ancestors did.³¹ The solution to this problem has been the decision to give all farmers 20 % of their “excesses”.³² This way, everyone gets something, but the more land you have, the more you get to keep. Parts of civil society, especially the farmer organizations, have protested this, claiming that all excesses should be expropriated by the state and redistributed to the landless and land poor (Bauer 2005).

The law also establishes that agrarian courts must be constituted and it leaves the creation of this and of a civil agrarian code to the Supreme Court (Decree 41-05, art. 91). These should be used in the cases where there is conflict or uncertainty of who is the “real” owner of a piece of land that several people may have title deeds to. This is an extensive problem in Guatemala, and a cadastre will therefore not be as simple as “taking a photo” of the situation, as one government official implied.³³ Many predict that the new cadastre will lead to an increase in the level of land conflicts and therefore

³⁰ Land that has been illegally incorporated into a property, and is not registered as part of it.

³¹ Interview: Vicente Ajpop, Regional Coordinator of Fontierras, Quetzaltenango 14.07.05, Quetzaltenango.

³² Interview: José Luis Vivero, representative of FAO, Guatemala City 27.06.05.

³³ Interview: C. Alonso, 15.06.05, Guatemala City

could be “a bomb instead of a solution”.³⁴ This is likely also where indigenous communities have historical claims to land that another person has legal title to.

3.3.3 The Land Fund – Fontierras

Fontierras, or the Land Fund, was established by the Land Fund Law Decree 24-99 in 1999, as a direct result of the Peace Accords. Fontierras’ mandate lasts until 2008 and it is twofold. First, it provides credit to groups of farmers which apply for loans to buy plantations collectively.³⁵ As part of this distribution process, Fontierras provides and administrates technical assistance to these groups, post-purchase, for the first three years, in order to make the plantations viable enterprises. The mandate also includes promoting a transparent land market and overseeing the repayment of the generated debt. Second, Fontierras is in charge of formalization of property rights to land which has legally been state land, but has been cultivated by small scale farmers as if it were theirs, often for decades. This does not involve redistribution of land, just a legal certainty of already possessed land.³⁶

A recent development is that it is also possible to obtain a loan from the Land Fund to *rent* land without any possibility of purchase, and with no demand that the tenancy is long term and secure. This project is new and highly criticized by civil society organizations and among others World Bank expert, Avila, as a way to avoid redistributing the land by postponing the problem.³⁷ It is also seen to stand directly in the way of market led redistribution as it diminishes the incentive to sell land and only increases the income of those who already own land. I have therefore chosen to focus on the funds from the Land Fund which are directed towards market-led redistribution and purchasing of land. The Land Fund is an autonomous unit under the Ministry of Agriculture, with representatives from civil society in the board of directors. The board of directors is comprised of leaders from the farmer organizations, cooperative

³⁴ Interview: Jesus Godino, former CEO of Fontierras (2002-2005), 18.07.05, Guatemala City.

³⁵ According to Decree 24-99 individuals may also apply, but currently Fontierras only accepts collective applications. (Personal communication: Fabiola Galvez, SSA, 19.09.05), and large scale commercial production is seen as the only viable option by many. (Interview: Eduardo Cifuentes, Regional Coordinator, MAGA Quetzaltenango 13.07.05; V. Ajpop, 14.07.05, Quetzaltenango).

³⁶ Although this process is interesting in the debate on formalization and using land as collateral it does not include land distributed by Fontierras and the current reforms, and I have therefore, for reasons of relevance and space, chosen not to focus on this process.

³⁷ Interview: Irma Yolanda Avila, World Bank Expert on Gender and Indigenous Peoples, 01.08.05, Guatemala City; Carlos Arriaga, coordinator of CNOC 17.06.05, Guatemala City; Mauro Vay, coordinator of CODECA, 08.07.05, Mazatenango.

movement, the indigenous organizations, the large landowners' organization *Camara del Agro* and representatives of the government including the minister of agriculture and a representative of the Ministry of Finance (Fontierras 1999:art.10). All in all there are seven directors. The CEO is administratively speaking subordinate to the board, and may be removed with five out of seven votes. Nevertheless, he often functions as the legal representation of the Land Fund and holds a lot of power in reality, for instance in personal interactions with donors like the World Bank, which seldom deal with the board.³⁸ Finally there are the sub-units which are governed by these two instances, such as the unit for women farmers (*Unidad de Mujer Campesina*) which was established in 2003. According to the Peace Accords, the Land Fund's annual budget is 300 million quetzals³⁹ to be provided by the government, but the budget has generally been lower.

The loan application process

There are several obligatory steps to follow in an application to Fontierras. Firstly, the farmers must organize themselves in an Agrarian Community, Enterprise (ECA) or another community that has a legal status. According to the regulations of Fontierras it is possible, but not imperative, that the legal units are members of a larger supporting organization before applying for the loan.⁴⁰ However, informants in the bureaucracy, including employees of Fontierras, stated that it is a prerequisite.⁴¹ The legal units have their own statutes, dictating for instance who may vote in the assembly and that the board are the legal owners of the land until the debt is paid. These legal units then apply for the loan and when land is obtained, administer the income and expenses of the plantation. The legal unit may not be dissolved until the debt to Fontierras is fully repaid. The members must be landless or land-poor fulltime farmers and economically speaking poor.⁴² A further requirement is to have a spouse or provide for children that are under their legal guardianship. Documents and identification papers to prove they are eligible must be presented, and applicants may expect visits from Fontierras

³⁸ Interview: I.Y. Avila, 01.08.05, Guatemala City.

³⁹ Q1= 7.5 USD.

⁴⁰ (ibid).

⁴¹ Interview: V. Ajpop, 14.07.05, Quetzaltenango, E. Cifuentes, 13.07.05, Quetzaltenango.

⁴² One is land poor if owning less than one hectare of low quality land, and low income is defined as total family income below 4 minimum salaries (Decree 24-99, art. 21).

personnel to verify the information.⁴³ Secondly, the agrarian community must find a plantation that is for sale which they want to purchase. If land is obtained, the farmers are obliged to start living on the new land immediately. They have twelve years in total to repay the loan, and currently the first four years are a “grace period” so repayment starts the fifth year.⁴⁴ During the first three years they are supposed to receive technical assistance to choose marketable products, build production and irrigation systems and learn efficient production and marketing.⁴⁵ In short, receive training to be able to administer large scale commercial farming.

3.3.4 Civil Society

The demarcation line when it comes to the “land question”, largely speaking falls between the Camara del Agro, the large landowners association, and a wide variety of farmer, cooperative and indigenous organizations,⁴⁶ as well as representatives of academia. Together, the pro-reform civil society organizations occupy the majority of the positions in the board of directors of the Land Fund. Furthermore, they exert influence by lobbying the government, and by producing proposals for different or more extensive land reform or for the shaping of institutions such as the cadastre. In addition to this, especially the farmer organizations demonstrate their opinions by mass demonstrations, road blockings or “marches on the capital”.

In Guatemala the large landowners are mostly united and are represented by only one organization. The small-scale farmers and indigenous peoples on the other hand are represented by a myriad of different organizations with blurred boundaries, including separate organizations for women and indigenous farmers. The organizations are united in several umbrella organizations and there is an identifiable split between two of these, *CNOC* (National Coordinator for Farmer Organizations) and *Plataforma Agraria* (The Agrarian Platform). The latter wishes to completely change the system for land distribution in order to achieve integral land reform, and dismisses the market as a mechanism for distribution. The former believes it is not the institutions, but how

⁴³ Fontierras (2000). Applicants must also be Guatemalan and over 18. There are several complicated steps to take to be considered an applicant. For a full set of rules see Fontierras (2000).

⁴⁴ The regulations state that the credit period can be up to 30 years, but Fontierras practices a 12 year period. (Fontierras 2000, art.15).

⁴⁵ (ibid: art.7).

⁴⁶ Henceforth the pro-reform group will be referred to as “farmer organizations”, as the boundaries are often blurred.

they are employed that causes the slow and disintegrated progress of land reform.⁴⁷ One researcher with extensive experience in the field questions the possibility of creating a completely new set of institutions, due to the domestic political climate, but also due to the increasing globalization and various free trade agreements that would restrict even a possible Left Wing government's ability to maneuver.⁴⁸ Others underline the contradictions in *CNOC*'s idea of combining a "neo-liberal line of a land market" with redistribution without demands of profit (Hernandez 2005:88).⁴⁹ The issue remains that this division often inhibits protection of small-scale farmers' interests in for instance the board of Fontierras, where the government and *Camara del Agro* representatives more often manage to stand united.

3.3.5 Gender

There is an explicit gender dimension to the Guatemalan land distribution process, and to the general process of poverty reduction. The Land Fund Law declares that married women have full co-property rights, and the Regulations for Beneficiaries state that there should be no discrimination in the selection of beneficiaries or in the distribution of technical assistance.⁵⁰ It is a known fact that poverty has a "feminine face" in Guatemala, as in many other countries. This is reflected in the existence of various government offices, such as SEPREM, the Presidential Secretariat for Women, which has constructed a policy on women's development and gender equity that involves most other branches of government.⁵¹ However, IADB expert Alvarado points out that although there are many separate events and offices related to women, the national strategy is not implemented.⁵² Furthermore, the Land Fund's women's unit has developed a gender equality policy for the Fund, and a methodological guide for technical assistance teams designed to improve gender awareness. According to its manager, Rosario Pú, the unit wishes to train the technical assistance teams so they are

⁴⁷ Interview: Dr. Gustavo Palma, AVANCSO, Researcher with in-depth knowledge on the land question, 05.07.05, Guatemala City.

⁴⁸ Interview: (ibid).

⁴⁹ My translation.

⁵⁰ Fontierras (1999: art 20); Fontierras (2000: art.9).

⁵¹ Interview: Dora Beckley, SEPREM, 29.07.05, Guatemala City.

⁵² Interview with Nohora Alvarado, Social Expert, IADB, 27.07.05, Guatemala City

aware of the importance of women in agriculture and include them in the productive projects of the plantations.⁵³

When it comes to the civil society organizations, the gender issue is also highly vibrant, at least in the rhetoric.⁵⁴ Firstly there are several women's farmer organizations who especially address women's land rights; the best known is perhaps the *Alliance of Rural Women* consisting of *Madre Tierra*, *Ixmucane* and *Mama Makín*. They work towards the acceptance of married women's land, membership and voting rights in cooperatives and other forms of collective farming. There is also *Conavigua*, originally a war-widow organization which continues the work for women's rights. Furthermore, the more general farmer organizations are also very aware of the gender issues involved in the land question. Some of them, like *CODECA*, have women's programs and separate workshops designed to train and empower women and some have women on the board of directors of the organizations and agrarian communities.

3.4 *Challenges for the current reform process*

Considering Guatemala's turbulent history and the continued strong influence of the Armed Forces and the large landowners, many politicians see the market based approach as the only possible option. As one prominent member of government observed; "politics is the art of the possible".⁵⁵ Others oppose this, claiming that "the market doesn't function, the market corrupts", underlining the need for stronger state control.⁵⁶ Either way, one main criterion for this type of redistribution process to be successful is higher supply than demand for land, preferably 3:1 (Borras 2003). In a country where only 1.5% of farm units are plantations, but these nonetheless occupy 62.5% of all agricultural land (UN 2003:52), this is not a likely scenario, especially when land is directly correlated with power (FAO 2004b:27). In Guatemala, low levels of industrialization remain, which makes it difficult to distinguish "elites" from "large landholders". When land is an important base of power, elites are even more reluctant to see any change in land distribution, and some suggest they fear that selling via the Land Fund will increase the demand for redistribution (Tanaka and Wittman 2003b:3).

⁵³ Interview: Rosario Pú, Manager of the Unit for Women Farmers of Fontierras, 28.06.05, Guatemala City

⁵⁴ For reasons of space and relevance, they will not all be listed here. Rather, examples are provided.

⁵⁵ Interview: Andrés Botran, Secretary of the governmental Secretariat for Food Security, 04.08.05, Guatemala City

⁵⁶ Interview: J.Godino, 18.07.05, Guatemala City

Large plantations have occupied a relatively constant percentage of the land in the last twenty years, but have nonetheless incorporated more than half of the areas that have been taken into cultivation since 1979 (UNDP 2002: 107). In the same period, the amount of “landless” rural households has increased from 23% to 29% (UN 2003:53). These numbers in part reflect a demographical problem of fragmenting of land as families increase, but also an “extremely elevated” concentration of land (UN 2003: 52), notwithstanding the attempts at market-based land reform.

In short, the structural environment in which the reform is carried out is a large impediment to its success. Several informants identify the lack of political will to redistribute land or to change Guatemala’s agrarian structure as one of the greatest obstacles to reform.⁵⁷ The current government, led by President Oscar Berger, has been in office since the start of 2004 and the term ends in 2008. Nevertheless, no official rural development strategy exists, and representatives of the government estimate that it will be presented in early 2006.⁵⁸ This is both an example of the slowness of the political system, where it is common that governments do not have the plans ready until their term is almost over, and of the difficulties of any strategies involving agrarian issues in Guatemala. There are disputes within the government, where some sectors might be more willing to consider redistribution than others, but are not uniting their strengths.⁵⁹ Therefore, a coalition has not been able to put the agrarian question on the agenda.

Furthermore there is a lack of coordination between the different institutions, and of a central development plan.⁶⁰ Although the Secretariat for Agrarian Issues was intended a role precisely as a coordinator, it does not yet seem to have fulfilled this function. For instance in the case of occupation, many cases are really labor conflicts where the farmers are trying to pressure the owner into paying them years of wages. Contierra, and the SSA, does not in these cases include the other relevant ministries in

⁵⁷ Interview: C.Arriaga, 17.06.05, Guatemala City; Rigoberto Saloj, national coordinator for NPA, 15.06.07, Guatemala City; I.Y.Avila, 01.08.05, Guatemala City; V. Ajpop, 14.07.05, Quetzaltenango.

⁵⁸ Conversations and interviews on conditions of anonymity, 10.06-05.08.05, Guatemala City.

⁵⁹ Interview: Edmundo Urrutia, Advisor to the Vice President 04.07.05, Guatemala City.

⁶⁰ Interview: I.Monzon, Intrapaz, R.L University 16.06.05, Guatemala City.

the situation to find a solution. However, there is disagreement on how many cases are labor-related and how many are really motivated by land issues.⁶¹

Parts of civil society, such as the Plataforma Agraria (2004), are sceptical of the whole current system of redistribution because it does not include indigenous people's historic rights, favours the existing agrarian structure, and it excludes persons without a partner or children. Furthermore they highlight that the period for repayment is too short to make the production profitable, and that even the previous government recognized that more than 200 plantations would not be able to pay their debt on time (Hernandez 2005:9). Criticism also comes from the organizations that support the current system with modifications, such as CONGCOOP and CNOC. Garoz et.al (2002:34) estimates that with the Land Fund's current pace, 10.7% of the demand for land will be covered in 2006, highlighting the Land Fund's small budget and lack of (qualified) staff.

From 1997 to the end of 2002, approximately 77000 hectares have been distributed, only 3324.02 of these in 2005.⁶² The regional coordinator of Fontierras Quetzaltenango observed that the accumulated demand is more than one thousand applications, but the Land Fund can only process 35 applications a year.⁶³ This means that it normally takes several years for an application to pass through the bureaucracy, and that the Land Fund will need more than 30 years to process all the applications at its current pace. For instance, one community in my study had been waiting three years since they sent the final application to the Land Fund, in addition to the six years it took to find a plantation for sale and comply with all the requirements for beneficiaries.⁶⁴ They were frustrated with the situation. The requirements of documentation of marriage, children and responsibilities may be hard to comply with both due to unwillingness in the local government and corruption, especially for the many who are illiterate or have no birth certificate or marriage license.

The slowness of the system may have negative implications both for the farmers' poverty levels and from a development perspective. As large groups of

⁶¹ Interview: Dr. G.Palma, 05.07.05, Guatemala City, Mariel Aguilar, Secretary of Agrarian Issues, 07.05, Guatemala City.

⁶² <http://www.pnudguatemala.org/modernizacioninstitucional/fontierras.html>, www.fontierras.gob.gt. There is a lack of information on hectares in 2003, and therefore the number is an estimate. 1997-2002:60352,42, 2004:7367,83.

⁶³ Interview: V.Ajpop, Fontierras 14.07.05, Quetzaltenango.

⁶⁴ Comment by the President of the community 08.06.05, Coatepeque.

people spend several years awaiting a reply, the incentive for them to invest in their current homes and environment is low, and could disrupt rural dynamics. Furthermore, the possibilities the redistribution has for poverty reduction is weakened when the process is filled with obstacles. In this way only the strongest and most resourceful will persist, excluding the poorest, most marginalized groups.

3.4.1 Technical assistance, markets and infrastructure

The success of market-based reform is dependent on a land fund to provide loans, but it is equally important that there is a mechanism attached to the loan to ensure the viability of the project. As the previous CEO of Fontierras put it - “if you give a family land, but nothing else, you have given them nothing”.⁶⁵ Redistribution is an ineffective tool for poverty reduction if the farmer becomes poorer as land owner than as landless. A recent report on poverty among Land Fund beneficiaries show a positive correlation between a strong increase in income and months of technical assistance (Miethbauer 2005:18) The communities receive a subsidy for food purchase and production investment the first year they live on their new land.⁶⁶ However, according to the new land owners in the communities of Quetzaltenango and Suchitepequez this subsidy is not large enough to prevent decreasing standards of living and increased poverty during the first few years. On the plantations I observed that the younger the community, the worse was the situation, and stories were told to me of how, upon arrival, they were living under plastic sheets held up with strings and sticks. Later each family had to earn sufficient income to build their house. The subsidy from the Land Fund does not go towards this, as it is destined for food aid and productive projects and investments.

One thing that contributes more to increasing their standard of living than the subsidy is the “grace period”. Although it may be seen as too short, without it, the farmers would have lost their land much quicker than they received it. The plantations that have been in their possession for two years are just about functioning. Houses are few and far between and there are very few production projects which yield profit that fast. Some crops cannot even be harvested until 3 years after they have been sowed.

⁶⁵ Interview: J. Godino,

⁶⁶ Interview: V. Ajpop, 14.07.05, Quetzaltenango. Conversations: The women of La Bendicion, el Tesoro and Nuevo Amanecer in July 2005, Quetzaltenango and Suchitepequez.

Therefore, a critical component for profitable production and the ability to repay the loan in the longer term, is receiving properly qualified technical assistance.

Technical assistance

Pre-purchase assistance consists of an evaluation of the price offer that the community has managed to obtain. There is a certain regulation of price per hectare that the Land Fund will accept, to prevent an overly inflated land market, but according to the regional coordinator of MAGA this is only preventing good quality land from being sold.⁶⁷ The farmers' organizations on the other hand complain that the Land Fund interferes too much with this mechanism, denying a loan, even if the farmers accept the price.⁶⁸

It is necessary to have a control mechanism, to prevent inflated prices and increased poverty due to lack of profit. However, Fontierras is being accused of using this as an excuse for patron-client relations where loans are denied to those with no "friends" on the inside, or applications to buy at inflated prices are accepted in exchange for receiving a percentage from the seller.⁶⁹

Technical assistance is supposedly given in the purchasing process and then for three years after access, and official numbers state that from June to December 2005, 145 plantations nationally and 39 in the Quetzaltenango region will receive assistance.⁷⁰ However, the regional coordinator for the Land Fund in Quetzaltenango confirms the accusations of civil society and international institutions: Few, if any, receive three continuous years of technical assistance.⁷¹ In 2005, due to organizational problems, technical assistance was only provided for a few groups in January and February and was not expected to start again until late September 2005. This problem is also highlighted by World Bank and IADB specialists Avila and Alvarado, who conclude that in Fontierras everything stops when the leaders change. There is no concern for learning from the mistakes or successes of the previous administration, or for preserving the dynamics in the plantations by continuing technical assistance and

⁶⁷ Interview: E.Cifuentes, 13.07.05, Quetzaltenango.

⁶⁸ Interview: M. Vay, CODECA, 08.07.05. Mazatenango.

⁶⁹ Interview: R. Saloj, 15.06.05, Guatemala City; I.Y.Avila, 01.08.05, Guatemala City.

⁷⁰ www.fontierras.gob.gt

⁷¹ Interview: V. Ajpop 14.07.05, Quetzaltenango; I.Y.Avila, 01.08.05, Guatemala City; C.Arriaga, 17.06.05, Guatemala City.

on-going projects.⁷² This is what occurred in February 2005, when a new CEO was elected.

The World Bank has been one of the main supporters of Fontierras and “struggles to institutionalize the technical assistance” to avoid corruption and create continuity, but has had little success so far.⁷³ A well-known phenomenon that “no one talks of because it has political connotations” is that some Fontierras employees create companies and then hire these, or the companies of acquaintances, to provide technical assistance, whether they are qualified or not.⁷⁴ There is also a lack of transparency in the way the contracts are awarded (Garoz et.al 2002:19). The negative impact on vulnerable new land owners is obvious, as they are dependent on this assistance for profitable production. The farmers themselves complained that technical assistance teams had no practical experience of farming and seldom understood their situation.⁷⁵ The fact remains that the poor quality weakens the economic viability of the reform.

Markets and Infrastructure

Few small-scale farmers have the capacity to administer large scale commercial farming without receiving any training to do so. Most of these farmers have never cultivated anything but subsistence crops, mostly maize, and it is close to impossible for them to choose products for which there are markets and possible profits, as this requires a market overview and analysis. Unfortunately, the current assistance for this type of analysis, including choices of markets and transport to and from these, is not provided to any large extent.

Another serious result of insufficient and unqualified technical assistance is the lack of infrastructure on the plantations. Functional assistance teams are supposed to help the farmers build schools, irrigation systems, get electricity and potable water connections.⁷⁶ Without coverage of these basic necessities, the plantation will not be very profitable, and the effect accessing land has on the farmers’ living standards will be reduced.

⁷² Interview: N.Alvarado, 27.07.05; Guatemala City, I.A.Avila, 01.08.05, Guatemala City.

⁷³ Interview: I.Y. Avila, 01.08.05, Guatemala City.

⁷⁴ Interview: (ibid).

⁷⁵ Comments by David Angél Sapon from Nuevo Amanecer at Kab’awil workshop, Totonicapan, 01.07.05.

⁷⁶ Interview: V.Ajpop, 14.07.05, Quetzaltenango.

There is also a need to handle infrastructural problems at the national level when redistributing land. Many plantations are located in areas with poor, almost non-motorable roads and some are only accessible after a long uphill climb. This complicates access and creates obstacles to getting products to and from the market and also has a negative effect on efficient production, as it is demanding to reach the plantation with the necessary equipment. Infrastructural problems must be seen as a general weakness of the market-based model in highly agrarian societies with poorly developed infrastructure. When market access is a prerequisite for the functionality of the reform, it must include an extensive upgrade in infrastructure. Nevertheless, as one World Bank director highlights, in Central America the austere [structural adjustment] politics of the 1990s led the governments to cut back massively on infrastructure, presenting a problem for trade and market access both nationally and internationally (Diop 2005:1). This also presents a problem for the Guatemalan reform, as the market-based approach depends on good infrastructure and market access.

Moreover, considering the market logic of supply and demand which lies at the base of the model, the supply of the more inaccessible plantations is likely to be higher than of high quality and easily accessible ones when the demand is so much greater than the supply. According to representatives of the Land Fund, this is the case in Guatemala, where the land that is put for sale is seldom the best land.⁷⁷ Moreover, the lack of transparency both in the market and in the Land Fund has led many communities to “buy infertile land at too high prices”.⁷⁸ Especially during the previous government the Land Fund was seen, according to one Congressman, as a “center of great corruption” which tricked a lot of farmers instead of controlling the market.⁷⁹

The lack of both quality and quantity of technical assistance is a major weakness of the Guatemalan reform. It is based on redistribution for commercial farming and only administers land on the plantation level, but does not provide the skills to organize it. Not only does this make it difficult for the farmers to improve their standard of living, but in the long run Fontierras is not economically viable, as many

⁷⁷ Interview: (ibid).

⁷⁸ Interview: Dr. Rafael Barrios Flores, Congressman and “Jefe de Bancada” for CASA (Centro de Acción Social), 27.07.05, Guatemala City.

⁷⁹ Interview: (ibid).

communities are currently unable to make payments, and some fear they will never be able to.⁸⁰ This is a situation that the farmers in La Bendición fear because their current level of profit is not high enough to cover the first repayment, scheduled for the end of 2005.⁸¹ In this light, IADB expert Nohora Alvarado sees no other realistic option economically speaking, than to give the farmers the land. So far this question has been ignored politically, but will have to surface at some point, as the amount of indebted plantations increase. However, Fontierras' mandate lasts only until the end of the current government's term, and it seems they are trying to maintain the status quo until they can pass the problem along to a new government.

3.4.2 Property rights and conflict levels

The "national cadastre" run by UTJ-Protierra is a result of the year-long blocking of a "real" cadastre in Congress. According to one long time international observer, the stalling tactics led most international donors, apart from the World Bank, to freeze their aid or leave the project.⁸² Ivan Monzon from Rafael Landívar University highlighted that the work of UTJ-Protierra has been poorly carried out, with such low quality techniques that land is not adequately measured. He also observed that a Cadastre will not solve problems of ownership where different "owners" have papers to the same land but from different time periods, some as far back as before independence, when communal land was protected by the Spanish crown.⁸³ An international observer also pointed to the lack of conflict solving solutions included in a cadastre and that historical rights will not be evaluated.⁸⁴ However, one coordinator of UTJ-Protierra's "National Cadastre" did not agree that this was problematic. According to him, "when all land is registered by a cadastre there will be no need for land reform" because the only problem now is that the poor have land but it is not registered.⁸⁵ This demonstrates a recurrent lack of understanding and a lack of will in the bureaucracy to decrease the great inequalities of Guatemalan society.

⁸⁰ Interview: N. Alvarado, 27.07.05, Guatemala City.

⁸¹ Interviews: V. Ramirez, Kab'awil 07.07.05 – 10.07.05, Quetzaltenango and Suchitepequez.

⁸² Interview: Beate Thoresen, long time international observer and independent consultant, 16.06.05, Guatemala City.

⁸³ Interview: I. Monzon, 16.06.05, Guatemala City. The "vice rey" was the Spanish Kings representative.

⁸⁴ Interview: B. Thoresen, 16.06.05, Guatemala City.

⁸⁵ Interview: C. Alonso, 15.06.05, Guatemala City.

The previous director of the Land Fund observed that there is lack of a vision in the government of how to solve the conflicts that will occur. A further reflection of this view can be seen in the insufficient funds assigned to the SSA and Contierra, whose difficult task it is to solve the conflicts that will occur.⁸⁶ The work for which Contierra receives most criticism is its apparent inability to handle the occupations of farmland and avoid violent evictions. The institution also lacks personnel and jurisdiction to solve all conflicts, and the courts can intervene and rule in favor of one of the parties involved. The Secretary of the SSA underlined that they are aware of the issues around evictions, and try to prevent them. One of the suggested measures was to make Contierra's information on a conflict available to the judges who rule on eviction threats in the future.⁸⁷ Furthermore, Contierra supports the purchase of the occupied land by means of the state, demanding the inclusion of women as owners of that land (Hernandez 2005:61).

Some critics feel that the neutrality of the institution as mediator ignores the great differences between the farmers and the plantation owner, and therefore leaves the farmers at a disadvantage. Although Contierra had solved 22 cases of occupations by the end of 2004 (ibid), there is an increasing problem of violent evictions like that on the plantation Nueva Linda, Quetzaltenango, in 2004, where nine people were killed (FIAN 2005a:17). A lack of communication between Contierra and the courts that issue eviction notices contributes to the increasing problem of violent evictions. This type of conflict could have been handled better with better coordination between institutions, and with implementation of minimum wage and other labor rights put down in law. Instead, among others dr. Palma, claims that the landowners are allowed to turn every conflict about labor conditions into conflicts over invasion of private property, which has a "sacred" status in the Constitution (§39). Even if the possibility to expropriate land for social benefit also exists (§40), it is the first paragraph that is upheld, making it beneficial to the landowner to turn the conflict into a property

⁸⁶ Interview: E.Urrutia 04.06.05, Guatemala City.

⁸⁷ Speech: M.Aguilar, 28.07.05, FAO & FIAN conference "El derecho a la alimentación en Guatemala", Guatemala City.

conflict. Some sources in the responsible organizations do not agree with this view of the conflict.⁸⁸

It is difficult to comment on the outfall of the new RIC (Registry of Cadastral Information), as the law that establishes it was passed only recently. However, the problems that faced UTJ-Protierra will face the RIC. The fact that it took almost nine years to pass the law, is testimony to the resistance among Guatemalan elites and their fear of what would happen to the “excesses” of land. Indeed, the reason it was finally passed was due to heavy pressure from the World Bank.⁸⁹ Large parts of civil society are dissatisfied with the result, as it left them without influence in the institution, and this situation is likely to increase tension in the land conflict.

Most of my informants underlined the importance of legal certainty for the market to function and for people’s security. The cadastre is, in this respect, only a first step. There is also a need for an updated land registry. Many people, both in the government and civil society predict the failure of the new cadastre for several reasons. First, because of the lack of an updated registry, too many people claim rights to the same land, and some think that the cadastre will reawaken so many sleeping conflicts that it will never be completed.⁹⁰ Second, since the Cadastre does not specify an expropriation of “excesses” which should then be redistributed, the institution will not have the power to change the agrarian structure, and will therefore not benefit the poor farmer.⁹¹ Third, the exclusion of the civil society organizations on both sides of the conflict is by some seen as the major obstacle to development and to solving the land issue, as a long term consensus policy between sectors would help this process.⁹² One international observer from the FAO believed it may be seen as an effort to depoliticize the issue of land, in order to be able to carry it through more quickly.⁹³ On the other hand, another source claimed that this was the perfect example of the fact that GANA, the governing party, has an interest in maintaining the status quo.⁹⁴ The

⁸⁸ Interview: Dr.G.Palma, 05.07.05, Guatemala City; Bureaucrat (on conditions of anonymity), July 2005, Guatemala City.

⁸⁹ Interview: V. Ajpop, 14.07.05, Quetzaltenango.

⁹⁰ Interview: (ibid).

⁹¹ Interview: I. Y. Avila, 01.08.05, Guatemala City .

⁹² Interview: J. Godino, 18.07.05, Guatemala City. The organizations on both sides came together and negotiated a proposal presented to the government as asked for. This was later ignored in the construction of the law.

⁹³ Interview: J.L.Vivero, 27.06.05, Guatemala City.

⁹⁴ On conditions of anonymity, July 2005, Guatemala City.

agrarian question is a ticking bomb that no government on the Right has any interest in setting off, especially not if the members have personal ties to agriculture, and as one expert observes; “in this government, even the Minister of Agriculture is a large landowner”.⁹⁵ Thus, the political involvement of the elites in the land question has a great impact.

3.4.3 Gender – exclusion and lack of funding

The women’s unit of the Land Fund (*Unidad de Mujer Campesina*) is, on paper, an example that a gender aspect is included in the land reform project. However, the leader of the unit, Rosario Pú, highlights that although they have been in existence since 2003, they have not been able to make a great impact on the process.⁹⁶ Apart from the previously mentioned production of a gender policy and methodology the unit had few practical results. Not only did the unit have little funding in 2004 and 2005, but the technical assistance in general was sporadic, and in 2005 came to a complete standstill, due to a change of CEO in the Land Fund in February. This made it close to impossible to have any continuing training of the teams, even if the unit had had the funds to do so. Furthermore, an assistant of the women’s unit highlighted that even if they managed to hold some workshops, the time lapse between each time technical assistance is provided is too long, so members of the teams change, and the work must start from scratch. Their overall objective, according to her, is to make both women and men aware of their rights, especially of women’s rights and women’s importance in agriculture.⁹⁷ One way to achieve this is through local female “promoters” who would be trained by the unit, but so far this project has not left paper. According to the regional coordinator for Fontierras in Quetzaltenango the unit is “just a piece of paper on the wall”⁹⁸. It physically exists, but has no influence or impact on the process because it lacks a realistic budget.

In the loan application process, women are often excluded, and face additional problems as a larger part of women than men lack official documentation, “*cedula*”,

⁹⁵ Interview; Dr. G. Palma, 05.07.05, Guatemala City.

⁹⁶ Interview: R. Pú Gomez,, 28.06.05, Guatemala City.

⁹⁷ Interview: M. Velazques, 28.06.05, Guatemala City.

⁹⁸ Interview: V. Ajpop, 14.07.05, Quetzaltenango.

and are illiterate.⁹⁹ Therefore they often sign contracts or other documents (with their thumb print) without being able to verify what they are signing. They are also disadvantaged in the process of finding a plantation for sale, as their ability to travel is restricted due to household chores and the necessity to look after their children.

Currently, the lack of sufficiently professional and continuous assistance prolongs the state of extreme poverty the farmers live in during the first years on the plantations. This has an even stronger negative effect on vulnerable groups like women and girls because they are often also affected by intra-household differences in distribution and opportunities for coverage of basic needs.¹⁰⁰ When resources are scarce, choices must be made as to their usage. On the plantations, the assembly decides what the resources should be used for. In the majority of these assemblies only “direct beneficiaries”, those that the Land Fund classifies as heads of household, may vote. This leaves all married women without a vote in the assembly, only the widows and single mothers are classified as “direct beneficiaries”. Although the law states that the married women have equal property rights, the Land Fund does not contribute to the acknowledgement of this in including them as beneficiaries, which would support their right to vote. Therefore, when the scarce funding is distributed it is more likely to go towards productive projects than towards elements such as indoor plumbing for water and electricity, which would increase women’s quality of life, as it is they who spend most of their time in the house. The women on the plantations recalled that living under plastic sheets might be harder for the woman, as the man at least got to leave the “house” and go to work.

Civil society organizations must also take their part of the responsibility for this situation. Although they do include women in their organizational structure and claim to work for the participation of women, this is often true only to a limited extent. When it comes to real power, many women in the farmer’s organizations’ top layers, especially ex-guerrillas, complain that after the Peace Accords, they have been marginalized and that all decisions are made by men.¹⁰¹ Only in one of the six communities I visited did women have explicit voting rights if they were married, and

⁹⁹ Interview: I.Y. Avila, 01.08.05, Guatemala City.

¹⁰⁰ Interview: J.L. Vivero, 27.06.05, Guatemala City.

¹⁰¹ Interview: I.Y. Avila, 01.08.05, Guatemala City.

one of the leaders of *CNOC* underlined specifically that they do not work for equality of the sexes but for the balanced participation of women and men. Many other leaders highlighted the specific needs of widows and single mothers, but were unwilling to include the married women. I will return to this in chapter four.

3.4.4 Elites, attitudes and political will

Landowners and bureaucrats are, more often than not, the same people and part of the elite. This creates obvious problems and conflicts of interest. One representative of MAGA, for instance, is a large landowner, producing export crops in the same area he administers. Like most plantation owners he owns uncultivated land as well. Hence, he does not see large uncultivated areas of land as problematic, and definitely not expropriation as a solution when the demand for land among the poor is great. In general he is skeptical of distribution, because there are too many farmers that cannot administer commercial production, which, according to him, is the only valid production. No land should be granted for subsistence or traditional small-scale farming, because “cultivating maize does not bring development, it brings more poverty”. Even so, his idea of the perfect world is not one where all know how to administer commercial production, but one where there are less people. In his view one of the major reasons for poverty was not lack of land, but the high birth rate among poor families and the lack of factory jobs for them. Thus, there was little use in redistributing land, because they would multiply so fast it would hardly help them for more than a generation. Furthermore, while acknowledging that due to historical injustices the best land is now in the hands of the powerful, he saw no reason to “punish the living for what their forefathers did”, for instance by returning land to indigenous peoples.¹⁰²

The regional coordinator of the Land Fund, Vicente Ajpop, is not a landowner, but also represents the local elite, although he is not as extreme in his views of the farmers. This is a general observation also for metropolitan elites, that bureaucrats in Fontierras unsurprisingly seem more positive towards reform than those in MAGA. Ajpop acknowledged that the land problem and the high poverty levels are part of a

¹⁰² Interview: Representative of MAGA on conditions of anonymity 07.05.

structural problem, and that unless the structure changes, Guatemala's "problem with poverty will not be solved". Although he supported the view that part of the solution lies in industrialization and tourism, Ajpop claimed that as long as the structure is the same, the poor will function as cheap labor, be it on plantations or in factories, and they will remain poor. However, he also insisted that land should only be "given" to those who want to produce for profit, who are "producers", not just farmers, also when it comes to historical rights.¹⁰³

None of these two bureaucrats believed that development can come through agriculture or that access to land is the solution to poverty. There is a definite clash in world views between the bureaucrats, both metropolitan and local, and the people they administer. The latter see land as a source of life on a smaller scale, and although they want to generate profit, they are not as concerned with the idea of commercialization that the bureaucrats set as a prerequisite. Some even pride themselves on not looking at land and nature as something to exploit for profit, but as the source of all life, to be treated with respect according to indigenous cultures and traditions. It is not without reason that it is common among the farmers and their leaders to refer to land as "Mother Earth" and to talk of "recuperating Mother Earth".

Forced occupations or sieges of Fontierras' local and central headquarters by farmers' organizations to manifest discontent on corruption issues occur from time to time. The farmer's organizations complain that Fontierras employees do not prioritize the poor, and instead provide credit to people with personal ties to the bureaucrats, often engineers or agronomists. To do so would be consistent with the view that land should be given to those who can produce for profit. It is however, not consistent with the regulations of the Land Fund or the Peace Accords, and the practice was not confirmed by any government officials.

It is the metropolitan elites and the board of Fontierras who have the final word on applications. For instance, if an application is denied, it is possible to resubmit it, and then wait for the reply from the representative(s) in the board who rejected it. When the reply is "released" at the main office, the farmers have five days to produce their "answer" to it. This process takes place in Guatemala City, and without

¹⁰³ Interview: V.Ajpop 14.07.05, Quetzaltenango.

representation here the farmers have no chance, as someone needs to go to the main office and check for a “reply” every day in the waiting period.¹⁰⁴ Thus, the central control in the bureaucracy is mirrored in the farmer’s organizations. It is not necessarily a given that the representatives of farmer’s, indigenous and social organizations represent the true interest of their members. They are also elites in one sense, as they take part in controlling the process, and often retard it by internal division.

The large land owners face a conflict of interests on the central as well as local levels. The Minister of Agriculture and several of his close advisors own large plantations, and the *Camara del Agro* is said to have “a lot of power in this government”.¹⁰⁵ Within Fontierras one also finds bureaucrats with strong ties to the farmer movement, like Rosario Pú of the women’s unit. It does seem, however, that their voices are not the strongest in the decision making structure. Seen in the light of the attitudes demonstrated by parts of the elite, the ability and interest of the governing organs to provide a transparent land market and an accessible bureaucracy is questionable.¹⁰⁶ In the end, the land distribution process takes place within a structure that excludes the poor. There is a great lack of transparency, and an extensive problem of mixed roles, leading to elite capture and paving the way for corruption.

3.4.5 Civil Society : division and dualism

In terms of the land question, civil society is quite active and by some classified as quite strong.¹⁰⁷ However, several weaknesses may be identified. The strong links between the *Camara del Agro* and the government, especially MAGA, puts one side of civil society in a very strong position, and increases the need for the other to be unified. The leaders of the farmer’s organizations could control the board of the Land Fund if they coordinate their voting.¹⁰⁸ However, the situation in the board is illustrative of dividing lines in civil society in general, and instead of a united front, the different farmer and indigenous organizations produce different proposals for agrarian reform and different protests against the system. The division between those

¹⁰⁴ Conversations with V. Ramirez, 08.07.05, Quetzaltenango and Suchitepquez.

¹⁰⁵ Interview: Dr. G. Palma, 05.07.05, Guatemala City.

¹⁰⁶ The Ministers closest advisor is Patricia Monge, former CEO of Camara del Agro.

¹⁰⁷ Interview: I.Y. Avila, 01.08.05, Guatemala City.

¹⁰⁸ Interview: (ibid).

who wish to change the system completely and those who want to include the current institutions in a more integral system of land reform is a great obstacle for achieving any kind of redistribution. Unlike the more united Brazilian land reform movement, the Guatemalan is characterized by division, and by “internal, very political things”¹⁰⁹ that stop the leaders of different groupings from cooperating.

Guatemala is a small and largely agrarian nation with only one big city, the capital. The problem of urban leadership lacking rural support is not as prominent in Guatemala as in South Africa but still exists (Koch et.al2002). Some of the bureaucrats accused the leaders of the organizations of not being farmers and of having personal economic interests in a high level of conflict.¹¹⁰ I met both leaders of organizations that lived in the city, or were not farmers, and others who traveled to and from their rural homes. However, observers like World Bank expert Avila, with a background in the farmer movement, highlighted the need for increased transparency among the representatives to the Land Fund, and claimed that the large movement is in the hands of a few people, who are all men.¹¹¹ There appears to be a need in the farmer movement not only to present a united front for redistribution, but also to promote transparency and democracy in the organizations, which would fortify their standing in the communities and in society in general.

The position of the agrarian movements may be further weakened by the dual role they play in the system. Because they are represented in the ruling organ of the Land Fund, the organizations appear on both sides of the table when there is a conflict. If the Land Fund is accused of too slow proceedings, corruption or unfair denial of a loan, the movement mobilizes its members for demonstrations. In reality, as Avila points out, the leaders of the movement are mobilizing for a protest against themselves.¹¹² This demonstrates that there are drawbacks with civil society organizations getting formal power in a government. The agrarian movement has relatively solid roots in the population, and also a visible political position. They do,

¹⁰⁹ Interview: (ibid).

¹¹⁰ Interview: Representatives of Fontierras and MAGA, on conditions of anonymity, July 2005.

¹¹¹ Interview: I.Y. Avila, 01.08.05, Guatemala City.

¹¹² Interview: (ibid).

however, face challenges in the large number of organizations with different views and solutions as well as in balancing their roles as governors and watchdogs in the process.

3.5 Summary

In Guatemala, the prospects of the land reform to reduce the high poverty levels seem challenging at best. The nine years that have passed since the Peace Agreements are not enough to examine all possible results of a market-based land reform. And, due to its reliance on voluntary supply of land to the market it is destined to take a long time in what is still a highly agrarian society. However, there are several weaknesses or deviations from the ideal model of market-based reform that may undermine the effects of, or ability to redistribute. The lack of a cadastre and national land registry, poor funding, alleged corruption and lack of transparency are all impediments to successful reform. In addition there are the close ties between large land owners and the government, the dual roles played by many civil society organizations and the divisions between them to consider. Nevertheless, some progress has been made, and although the current reform may not be classified as integral, some land has been redistributed. In the following chapter I will analyze the effects of this on poverty and empowerment of women.

4. Poverty reduction and empowerment

One of the strongest arguments for redistributive land reform, apart from correcting historical discrimination of certain groups, is that it will reduce poverty levels among those who access land. It follows that successful land reform should be able to increase food security and coverage of basic needs for the population that gains access to land. It is questionable whether this has been the case in Guatemala, but some effects on levels of food security and basic needs may be seen. Another important factor affecting food security and basic needs is intra-household income control and food distribution, which is connected to the level of empowerment of women in a society. One study of Guatemala found that the women were in control of only a small proportion of the income, and that this was reflected in the food security level of the family which it is often the women's task to feed (Carletto/ IFAD1998). Women are made vulnerable when they cannot control the part of the income that corresponds to them, or are not able to take part in decision-making.

This chapter is structured around two sets of issues – poverty reduction and empowerment of women. In part one, the effects redistribution of land has had on food security and coverage of basic needs will be examined, while part two will focus on the effects this has had on empowerment of women.

PART ONE

Land as an asset – access to land and poverty reduction

Guatemala is a poor country, where most of the population, and a majority of the poor, live in rural areas. A good reason to focus on food and food security is that malnutrition rates, especially among children, are “abysmally high” and among the worst in the world. This is a reflection of maternal health as well and the maternal mortality rate is among the worst in Latin America. Both situations are strongly correlated with being poor and living in a rural area (World Bank 2004:3). Several theories, among them Sen's entitlement approach, focus on the ability to command food through other assets, such as land. The capability approach also argues the

importance of having the “capability to avoid undernourishment”, and highlights the coverage of basic needs as important in this respect.

The market-led model is directed towards creating viable enterprises for commercial farming. Therefore its focus is on redistributing land to those who have a shot at commercial farming, not necessarily to the poorest parts of rural society who often wish to maintain more traditional farming and have little capacity for administering large scale production. The emphasis on commercial farming is intended to make the reforms viable, to ensure that the loans are repaid and to improve the national economy. The question is if this also prevents the redistribution from really reducing poverty, as there is a high risk of excluding the poorest and most vulnerable from the redistribution process, as well as a risk of malfunctioning large scale production. Theory that supports land reform focuses on certain elements that will improve through redistribution and in this way contribute to poverty reduction.

4.1 Effects on production

The current Minister of Agriculture, and others, want to “industrialize agriculture” underlining that the aim of the implementers of the Guatemalan reform is to create commercial agriculture and increased profits.¹¹³ Increased productivity and profits are also important elements in the relationship between land reform and poverty reduction.

At the national level one should be able to see the results of any increase in successful commercial agricultural production in economic growth rates. However, the World Bank (2004:5) claims that the current growth in Guatemala has fallen in recent years, and moreover, that this growth is neither pro-poor nor neutral, resulting in slower poverty reduction. This is not necessarily demonstrating that access to land does not increase productivity or reduce poverty. It could also be a symptom of too little land being distributed, or of it being distributed to the wrong people where poverty reduction is concerned, matters for which the Land Fund has repeatedly been criticized.

¹¹³ Interview: J. Godino, 18.07.05, Guatemala City; Nineth Montenegro, Congresswoman (in the opposition) 15.07.05, Guatemala City.

At the provincial level I had the chance to gain deeper insight into possible changes in the farmers' lives and production matters before and after they became land owners.¹¹⁴ The farmers clearly feel that the production is increasing as they are able to sell some of their crop, not simply consume it. It will take years to build the production capabilities of plantations that often have not been cultivated for many years, having been abandoned at the beginning of the coffee crisis. In a sense they have "bought the coffee crisis", which is an impediment for rapidly increased production, even if their input were higher as owners than as rented laborers. It will therefore take several more years before one can really measure the effects of land sales on productivity.

4.2 Land as collateral and the selling of membership rights

In chapter two some authors proclaimed that accessing land in the manner of getting property rights to it, is imperative to rural development and poverty reduction because it means that the land can be used as collateral for credit, or sold to make other investments. It is difficult to analyze the effects of access to land on this when no "agrarian communities" have repaid the complete loan and thus they are not at liberty to sell or further indebt their land yet. Until the debt is cancelled it is illegal for the beneficiaries of the land fund to divide the land, or to sell it.¹¹⁵ Furthermore, as long as all the farmers really own, is the debt, it barely serves as collateral for a loan.¹¹⁶

Nevertheless, the hardship of the first years has led to an extensive activity of exchange of beneficiaries in many agrarian communities. In some cases this may be seen as selling the "membership" and therefore the land. The regional Fontierras coordinator was of the opinion that this practice breeds corruption, because the newcomers have to pay the seller for the rights to the land, and also had to pay the "entrance fee" to become members of the community.¹¹⁷ It is certainly not impossible that this has happened in several cases. However, a common situation seems to be that several families give up and leave the plantation, presenting the remaining families with a great problem: They no longer have the necessary "hands" to run and cultivate

¹¹⁴ Technically speaking they are not landowners before they repay the loan, but they definitely see themselves as owners and will be referred to as such.

¹¹⁵ Interview: V. Ajpop, 14.07.05, Quetzaltenango.

¹¹⁶ Smaller loans or microcredit from NGOs and other organizations may be given for specific projects, but these are not necessarily related to being a landowner and are therefore less relevant in this context.

¹¹⁷ Interview: V. Ajpop, 14.07.05, Quetzaltenango.

the plantation, and they need to find replacements. The landless community San Agustín was negotiating with a community that had this problem, about the price for joining.¹¹⁸ This is a legal process where Fontierras verifies the status of the new beneficiaries who then also become “owners of the debt”. Contrary to the claims of the coordinator, there was, in this case, no payment made to the runaway families, who had already left some time ago. Nor was there any extra payment to the farmer organization Kab’awil, of which both were members. The existence of this process however, does demonstrate that land is exchangeable for money or workforce, at least as long as the demand is high. If there was great equality in landholding, it would perhaps be a less valuable asset.

4.3 Food security – more and better food ?

Politically speaking, it is of great interest to note that Guatemala is the first country in the world to pass a national law on food security.¹¹⁹ The law has been heavily criticized by international NGOs like FIAN (2005a, 2005b), among other things for not including the land issue. In this respect, Andrés Botran, the government’s Secretary of Food Security and in charge of the implementation of the law, pointed out that if the legislation had included land, then it would never have gone through Congress. In his view, this law is better than no law at all. According to the coordinator for FIAN in Central America, such statements are excuses when in reality one can question the government’s intentions on the topic of food security.¹²⁰ As the law was passed this year, it is too early yet to analyze the effects of it on Guatemalan society, or to hold Mr. Botran to his word on including the land reform institutions, such as Fontierras, in the process of implementation.¹²¹

All the farmers interviewed (both landless and land-owning) classified themselves as poor, and the landless in particular saw greater opportunities for escaping poverty if they accessed land. The women in the two “oldest” plantation communities of the study were clear in their opinions of food security: They are still

¹¹⁸ The price can be measured out in workload instead of money.

¹¹⁹ Decree 32-2005.

¹²⁰ Martin Wolpold-Bolstein, in panel debate on Conference on the right to food in Guatemala, 28.07.05, Guatemala City.

¹²¹ Interview: A. Botran, 04.08.05, Guatemala City.

poor, but with an increased level of security living on their own land.¹²² Life is more predictable, stable and in their own control. One woman explained: “If we work hard, then we will have food, we do not have to wait for any ‘fincero’”.¹²³ This closeness to land and production is underlined by other women and men in all communities studied. Maize is both a staple food and has cultural importance for the Guatemalans and the farmers cannot imagine living without it. Being able to grow their own maize is extremely important.¹²⁴ As landowners they still consume largely similar staple foods, and therefore one may still identify a great lack of diversity in their diet, and culture plays an important role in keeping maize and beans as staple foods even if there is access to diversity.¹²⁵

Nonetheless, accessing food without having to buy it in the market tends to increase their food security, or at least their feeling of it. And they now in some plantations use seeds from their own crop to set the next crop, which increases their independence. Moreover, in some communities the diet was now more diverse, including more fruits and vegetables, both because they cultivate other products, and because they now produce enough maize to exchange it for products that they do not produce. However, in the newer plantation el Tesoro, there was great disagreement on whether food security was now higher, and if they had more food and different food now than before. It is a possibility that some manage their family income better, and therefore have more and better food than others, especially during the first years of hardship. In general, there seems to be little variety in the amount of food consumed by landless or landholding farmers, but it is also possible that some were hiding their poverty, and did not consume the three meals a day that everyone else claimed they ate. It is not unlikely that it is shameful to socially admit to being poorer than the rest of the group.

A recent report on the situation of Land Fund beneficiaries shows that on the aggregated level, access to land has a small significant positive effect on the income of

¹²² Affirmative answers to direct question from me in all plantations.

¹²³ Interview: R. Ulin de la Cruz, 12.07.05, La Bendicion. “Fincero” is in her language a derogatory word for the boss and owner of a large plantation.

¹²⁴ One woman spent a week in a workshop in Costa Rica, where bread is the custom, and felt that eating without eating tortilla was almost not eating.

¹²⁵ Interview: J. L. Vivero, 27.06.05, Guatemala City.

the new landowners. However, this effect is unevenly distributed, and even when accounting for increased subsistence production, 23,3% of the households experience a decrease in total income with access to land. If one excludes the extremely poor, a large majority (72%) have increased their income over the last five years (Miethbauer 2005:11). This highlights the danger of increasing inequality among the poor, if access to land is not followed by technical assistance and structural changes, and the dangers of the market-based reform not alleviating extreme poverty. This has an obvious effect on these households' food security, and also on the coverage of their basic needs.

Land is part of the “commodity bundle” that entitles people to food in rural Guatemala if it is followed by technical assistance and other support mechanisms. There were always tomatoes and onions available in the market, but now the women can actually buy these products. Food security, in the sense of both access and diversity is higher in the communities that have had land for some years, although none of them can be classified as food secure, and there are still crops that cannot be harvested for another couple of years. Thus, it is clear that agricultural investment is a long term commitment that needs long term backing from the Land Fund to have a strong effect on poverty levels.

4.3.1 Women's Projects – income control and gradual change

Women's food security is especially important, as they are a vulnerable group. Another thing that the women see as enhancing their food security, or improving their standard of living, is connected to the increased space they possess as landholders. Most of the women now raise small animals like chickens or ducks, alone or collectively, for which there was little space in the landless communities. While some owned a few chickens before, they now operate on a much larger scale. This contributes to increasing family income and women report that although they do not eat chicken more often than before, the quality of the available meat is now better and more nutritional in content. This increased possibility for projects run by women, such as poultry farming or fish ponds, often organized by women's committees on the plantations, may help decrease intra-household differences in food security and

poverty levels.¹²⁶ A representative of FAO in Guatemala, observed that a large part of the explanation for women's elevated levels of malnutrition and anemia, is to be found in the intra-household distribution of food which often means the women and girls eat last and often least. Although the women interviewed denied that this was the case, while living with the families and eating with them, I observed both that the women worked several hours longer than the men, for instance to prepare the food, and in several cases that the men ate first, and were served at the table. My findings are consistent with those of a larger "consultation" made by the women's unit at the Land Fund (Fontierras 2003b).

Having their own projects may gradually increase their standing in the family, and increase the respect for them as breadwinners. In the long run it will perhaps enable them to control parts or all of the income that comes from the project, and thereby socially entitling them to a larger amount of food. One may expect that the legal co-property rights of women in these communities may have the same desired effect on their power to command food, by gradually changing the view of the man as the owner of the land, the breadwinner, and the one that is entitled to most food. This must be seen in relation to the possibility of land acquisition to empower women, a subject to which I will return in part two of this chapter.

4.4 Shelter - From sticks and tarpaulin to boards and corrugated roofs

Coverage of basic needs is another important measure of the poverty levels of these communities. An interesting observation in my sample communities is that although the level of food security seemed to be a little higher, at least in the communities which had owned land for some years, the level of coverage of basic needs is not clearly associated with land owning. Housing conditions in some of the landless communities was of a higher standard than on the plantations, with cement walls and a roof that kept the rain outside. However, neither the house nor the land was their property, and therefore represented a less secure environment. The land-owning women claimed that although they were still poor, they now at least had a house of their own, and not one from which they could be thrown out at any time. Such houses

¹²⁶ For instance, in Nuevo Amamecer the women ran several productive projects, including two large fish tanks.

consisted of bamboo walls with metal or palm tree roofs, sometimes with one wall incomplete and covered by a plastic sheet. The “younger” the plantation, the more recurrent were the plastic walls. This type of housing was also predominant in one of the landless communities. In the “youngest” of the plantation communities in the study, many members, some forty to fifty families, had been living in the two large farmhouse buildings left by the previous owner, sleeping on the floor and in a few beds until they were able to start building houses, a process which took about two years. There are still some families who do not have houses, exemplifying that in the start-up period, the level of poverty becomes higher among new landowners than the landless. The lacking technical assistance does not improve this difficult situation, and a complete absence of it may in the worst case scenario lead to communities being stuck in this situation if they are unlucky with their choice of produce or unable to administer a large property. The process of reaching higher standards of living is long, and five years is too short a time frame where “shelter” is concerned. The farmers realize that a change is many years into the future, but feel that if they work hard, the land provides, and now the profit is theirs, not their employer’s.

4.5 Women, Water, Basic Services and Education

Water is a basic human need, and there were prominent differences in access to potable water. Two of the landless communities studied had wells for drinking water that they themselves classified as not potable, but which they still had to drink from. Water for other activities, such as washing clothes, is fetched from the river, a distance that varied from half an hour to two hours, depending on whether there was drought or not. This is an extra burden for the women whose responsibility it is to fetch water and to do the laundry. Therefore, having indoor plumbing greatly improves their situation and standard of living.¹²⁷ The plantation communities El Tesoro and La Bendicion had indoor plumbing for water. In El Tesoro this was only true for the large farm buildings and primarily by luck, because the previous owner left it intact. In La Bendicion it was a result of hard work and successful technical assistance, which helped them create a system that elevates land from the river in the valley below the plantation, and

¹²⁷ This consists of a tap close to the house.

therefore is a direct result of owning land. This is a further reminder that technical assistance is vital in the redistribution process. Moreover, with regards to extension of basic services such as water, and electricity, having assistance teams that are gender sensitive is important, as the women's quality of life is more dramatically affected by this than the men's, and this may, as mentioned, contribute to decreasing some of the intra-household differences in levels of poverty and standards of living. It may save the women some time in their everyday lives, and perhaps contribute to giving them some recreational time, as well increasing the coverage of the basic need of potable water.

Women in plantation community Nuevo Amanecer told me that it was important to know how to read and write, in order not to be fooled when going to the market or other places, and most of them claimed to be literate. However, in reality few children complete the sixth grade, and at the national level, the low rate of girls who attend school is seen as such a serious problem that there is a government program called "*Educamos a la niña*" or "Let's educate the girl".

On the plantations, daughters of single mothers and widows who have become landowners are especially vulnerable. Their mothers carry a double burden because they are expected to do the same manual labor as the other "direct beneficiaries", who are the male heads of household, because that is each family's economical contribution to the community for repayment of the loan. Traditional women's work is not seen as work, and does not count towards this. When the mother has to work, the oldest daughter has to take care of the house and younger siblings, thus potentially inhibiting the girl's possibility to attend school. Higher access to formal education is a possible long term effect of owning land, because many of the communities build primary schools on the plantations, and if they manage to make profits on their production they might be able to afford to pay for their secondary education too. Nevertheless, this Land Fund has only existed for 6 years and it is not yet possible to measure any long term effects on the levels of formal education.

All children in both landless and landholding communities had physical access to primary school up to sixth grade close by. However, it was clear that both in the landless and the landholding communities, few children attended school for six years,

as their hands were needed in the field or in the house from around the age of nine. Also, there are school fees and school uniforms to be paid for and the women admitted not everyone could send all children to school at the same time, but denied treating boys and girls differently in this. It is likely that the same elements of shame, mentioned above, led some women to distort the truth, or that they were trying to tell me what they thought I wanted to hear. It is also possible that on these plantations there is an exceptional equality of the sexes, but it is highly unlikely that I managed to find six communities where all girls get an education in a country where 31% of the girls do not attend school (INE 2002: 39-43).¹²⁸

It is probable that practical problems prevent the women from acting as they wish. One of the widows of a plantation community clearly saw the importance of an education for her daughter, who although she had to keep the house and make the meals, attended primary school. However, the secondary school was in the nearby village, with higher fees and a requirement of uniforms, and she had no possibility of sending her daughter there. Clearly the issue of formal education is connected to economic impossibilities of sending five to ten children to school. However, it is also a question of attitude changes and culture, especially when it comes to the education of girls and young women. I will return to this in part two where I focus on informal education and training as instrumental in empowering women.

PART TWO

Empowerment – voice and vote?

For both women and men the most important part of accessing land does not seem to be connected with greater material wealth or reduced poverty levels. The effort to escape poverty and create a better life is definitely a part of the picture, but the recurring answer to all my questions was connected to feelings and traditions: “It is better to have land, because then you *have* land”, and to a vision of security; “when we had no land we could not grow our own maize”. But perhaps most importantly there is the feeling that land gives independence, most of all from a “patron”, employer or an

¹²⁸ The rate for boys not attending school is 26%.

oppressing structure.¹²⁹ Does this increased independence also increase women's possibility to make important choices and decisions in and about their lives? In a country where "land is a form of power" women's access to land may empower them both in relation to the family and the community.¹³⁰ In addition to physical or even legal access to land, however, there are other elements that also influence this process.

Social exclusion of women is part of a well known Latin American cultural trait, called the *machismo*, which paints a certain picture of the strong and powerful male provider. Two women from very different backgrounds describe the machismo in similar ways. Congresswoman Nineth Montenegro argued that it still exists, also in the Congress, and that it leads to exclusion, because according to the machismo culture a woman only "serves for getting married, having children and waiting on her husband".¹³¹ Transita Hernandez, one of the many "abandoned" mothers¹³² and a Land Fund beneficiary, simply explained machismo as follows: "the man thinks he is king and that he should decide everything".¹³³ Such an attitude causes many problems for her as a woman, even though she is single.

4.6 *Participation in the acquisition process*

Most informants on the metropolitan level assessed that the laws concerning women's rights to land and participation appeared sufficient on paper,¹³⁴ but that there is a great lack in the implementation of them, especially where the Land Fund is concerned. In this respect World Bank expert Avila highlighted that women are "totally absent" from the decision making structure, and from the process of qualification of beneficiaries.¹³⁵ Many women do not receive information that they are given loans, not grants, or that it is the board of the community that is the legal owner of the land until the loan is repaid. Judging from my encounter with landless communities, women were not totally absent, but quite marginalized. For instance, the representative of a farmers' organization that I travelled with, also had business to attend to when we reached the

¹²⁹ *Patron* is a word for the owner of a plantation, and the employer of the farmers in the traditional structure. The patron stands above the others, and is a sort of benevolent (or not) dictator/father figure.

¹³⁰ Interview: I. Monzon, 16.06.05, Guatemala City.

¹³¹ Interview: N. Montenegro, 15.07.05, Guatemala City.

¹³² This was the term normally used by the farmers, and implies a more respectful situation than that of single mothers.

¹³³ In conversation with the women of Nuevo Amancer.

¹³⁴ Interview: B. Thoresen 16.06.05, Guatemala City, I.Y. Avila, 01.08.05, Guatemala City.

¹³⁵ Interview: I.Y. Avila, 01.08.05, Guatemala City.

landless communities. He had news about the status of their applications, necessary documents to obtain, or information and help on how to organize and find a plantation for sale. When we arrived in a community, I met with the women, while he spoke to the men. Although we always had a common meeting with a summary of the two meetings at the end, the fact that nobody seemed to think that the women also needed to be present at the full-length information meeting, clearly illustrates the problem. However, in the plantation communities this problem was not as prominent, although one could still see a lack of understanding for the fact that women have quite hectic days.¹³⁶

In one of the landless communities the men turned almost hostile when they realized I wanted to talk to the women without their presence, and the president of the community physically positioned himself close to our group, so he could (and did) participate and listen to what the women told me. This clearly restricted the women's possibility to speak freely, and demonstrated a need on behalf of the men to control the women.¹³⁷ Curiously, he and the other men later underlined the importance of women's voice and participation. This whole situation seems to demonstrate that it is no longer considered correct to publicly express the wish to control the women, although the idea that it is wrong to actually try may not have been accepted yet.

Although the women to some extent were informed of the process and what is required to obtain land, they also demonstrated exactly the lack of knowledge about the system that Avila underlined. The landless women in San Rafael were sure that as land owners their lives would be better because they would not have to pay rent, and therefore would have more money. They did not seem to consider the fact that if they access land through the Land Fund, which is their only option, they would be highly indebted for at least the next twelve years.¹³⁸ Extensive travelling is involved when looking for a suitable plantation for sale. However, this often becomes very expensive, and even if all adults were to travel to begin with, the result is often that the women stay behind with the children. These families cannot afford the travelling cost for everyone. Female participation was also limited when the farmer's organizations

¹³⁶ When some meetings were delayed, the women became restless, because it is their responsibility to have dinner ready.

¹³⁷ My travel companion from Kab'awil seemed a bit shocked and very displeased with this open display of machismo.

¹³⁸ The same problem is identified by Garoz et.al (2002). People are more concerned with owning land, than viability.

organize two-day workshops so far away that one had to spend the night. One of the parents has to stay at home with the children, and it is unlikely to be the man. This means that landless women are more excluded from information and training, as the land-owning women have more access to workshops on their own land, for which there is no space in landless communities. It also demonstrates a lack of understanding for the women's situation on the part of the leaders of organizations, who are mostly male, as well as a need for a change in attitudes towards women's participation, both among men and women.

4.7 Co-property rights and membership

4.7.1 “Our vote doesn’t count” – Nuestro voto no vale

On the plantations, where women do have some physical access to land, the problems relate to the protection of their legal property rights in relation to married women's status as “indirect” beneficiaries of the Land Fund through their husbands. The Land Fund Law establishes that women and men in a marriage are owners of the land on an equal basis (see 3.4). In reality the situation, especially with regards to the Land Fund, is less straight forward. World Bank expert Avila claimed that the concept of co-property rights has not been developed properly because of certain stereotypes and myths that the man is the “cultivator of the land” and therefore its rightful owner.¹³⁹ Furthermore, she pointed out that the married women were not seen as co-responsible for the collective paying of debt, and were thereby excluded from the process. In this she is supported by the previous director of Fontierras who confirms that as long as they are in debt, only the name of the head of household is registered by Fontierras.¹⁴⁰ In the public registry they are both registered as owners, but not in Fontierras' papers, as the institution only registers men, single mothers and widows as beneficiaries.

Thus, the Land Fund's practices support the norms in the communities of seeing men as heads of household, and women only when there is no man. This again leads to a practice where generally speaking only the men, widows and single mothers are registered as members of the agrarian communities, enterprises (ECAs) or cooperatives, as they are heads of household. Important decisions that affect the whole

¹³⁹ Interview: I.Y. Avila, 01.08.05, Guatemala City.

¹⁴⁰ Interview: J. Godino, 18.07.05, Guatemala City.

community are made in the assembly where all heads of household have a vote. The assembly also elects the board which is responsible for the running of the plantation, and who make important decisions. The general opinion is that married women are beneficiaries through their husbands, and that the husband's vote represents the family's opinion. Consequently, in most communities, married women are excluded from decision-making in all issues that affect the whole community. Earlier I pointed out the negative effects on the prioritization of projects that would improve the women's life even more than the men's. This situation demonstrates the powerlessness and vulnerability of the women in these communities where the men control the assembly. The women that have a vote are outnumbered by the men, and it varies from community to community whether women realistically can be said to have a voice in the assembly even if they have no vote. The former CEO of the Land Fund argued that "co-property rights, in terms of votes in the assembly, is not working", meaning that these rights are currently not promoting female participation.¹⁴¹ Both he and others highlighted that providing truly equal rights to the land and to participation is especially challenging in collective landholdings, precisely due to the attitudes and norms explained above.¹⁴²

The regional representative of Fontierras accepted little responsibility on the part of the Fund, and underlined the culture shock embedded in accepting that men and women have equal land rights in a culture where the men are dominant in the "social life".¹⁴³ He declared that the Fund has a gender policy to promote women's participation, but that it cannot dictate how the farmers wish to form their associations, especially not when they have a farmers' organization backing them. He was, however, quick to backtrack, and emphasized that no organization can dictate the culture of the farmers. Although he did see the need to educate and "develop" women, he saw no role for the Land Fund or the redistribution system in this. His views contrast starkly with those of the women's organizations. To them the support of the government and the Fund in their struggle for participation and equal rights to land is

¹⁴¹ Interview: J.Godino, 18.07.05, Guatemala City.

¹⁴² Interview: B.Thoresen, 16.06.05, Guatemala City; J. Godino, 18.07.05, Guatemala City.

¹⁴³ Interview: V. Ajpop 14.07.05, Quetzaltenango.

crucial.¹⁴⁴ Avila was also critical of the Land Funds practices in this respect, and highlighted that it needs to recognize all women as heads of household and beneficiaries, and inform them of why registration is important.¹⁴⁵

In all the plantation societies, apart from Nuevo Amanecer, where all women may vote, the men were reluctant to give married women a vote. The membership issue was decided by the board of the community, where the majority were men. The usual demand is that if the women want to become members, they have to pay the same amount of money the men did when they became members on behalf of the family, and furthermore, that they must accomplish the same community chores as the men.¹⁴⁶ This includes heavy agricultural work such as banana picking and clearing of fields. The women farmer's organization Madre Tierra and others oppose this for several reasons. First, because the man paid his share with family money, and that it is unlikely that the woman controls this kind of income in the family. Second, even if there is no demand for money, accepting the added duties means accepting that women's work is not work, as it does not count towards the "community chores".¹⁴⁷

Unfortunately, this is the practice on most plantations, and it also affects the widows and single mothers who do have a vote in the assembly. One widow explained that it was tough, because she had to fulfil all the "male" communal duties, and also all the regular women's work, because she was the sole breadwinner and parent of her family.¹⁴⁸ Not only does this, as mentioned above, often interrupt the education of these women's daughters, it puts them in a traditional women's role that it is hard to escape without education, creating a vicious circle. This underlines the importance of attitude changes in society as well as implementation of legal property rights.

4.7.2 Fall-back positions and exit-options

The women primarily want the property rights in order to have a stronger position if the husband dies or if they split up, not to shift the power balance in the home. There are many single or "abandoned" mothers. Although those who already are in this situation are explicit beneficiaries of the Land Fund, and proclaimed a vulnerable

¹⁴⁴ Interview: Dominga Montaña, leader of Madre Tierra, 04.07.05, Guatemala City.

¹⁴⁵ Interview: I.Y. Avila, 01.08.05, Guatemala City.

¹⁴⁶ The amount is about 25 USD. In some communities one came to an arrangement of how much work that equals.

¹⁴⁷ Interview: D.Montaña, 04.07.05, Guatemala City.

¹⁴⁸ Interview: Widow, 01.07.05, La Bendición.

group, there are no mechanisms to protect the rights of the women who suddenly find themselves in this position after they have accessed a plantation. Dominga Monteja from Madre Tierra told the not uncommon story of how one woman and her children had been thrown out of the house with nowhere to go because the man had found a new wife.¹⁴⁹ The other women tried to protest, but the assembly decided to let the man stay. If the Land Fund had implemented the law, this woman's property rights would have functioned as a fall-back position for her. It would have increased her bargaining power in a position where the husband wants a new companion without taking care of the first and their mutual children. In the current system, however, her legal rights were not enough to increase her options, demonstrating the weakness of the Land Fund in supporting the empowerment of women.

To strengthen women's rights, Madre Tierra suggests a simple system where, in case of separation, the man and woman each are entitled to half of the land. They complained however, that this goal, which meets a lot of resistance in the plantations, is made harder to obtain by the lacking continuity and support of the Land Fund, where they see a lack of understanding of the fact that women are equal owners of the land. It is hard to begin to influence this view in the Land Fund as long as directors, bureaucrats and technical assistance teams constantly change. The women receive the support of World Bank expert Avila, who sees women as "structurally absent" in the Land Fund, both when it comes to technical assistance, decision-making and protection of legal rights.¹⁵⁰ The lack of legal and societal protection of co-property rights is closely connected to the amount of participation women have in the communities and in the home. If property rights were properly implemented by the Land Fund, women's participation would meet fewer obstacles and make their demands for having a vote stronger. As beneficiaries they must also become voting members.

There is no economic reason for the Land Fund not to back women's increased participation as beneficiaries. Several informants both in the government and civil society emphasized that women are better debt payers than men, and that they are a

¹⁴⁹ Interview: D. Monteja, 04.07.05, Guatemala City.

¹⁵⁰ Interview: I.Y. Avila, 01.08.05, Guatemala City.

more stable force for building projects and for rapid and efficient implementation.¹⁵¹ The women “help” the men a lot in the field, often doing the most time-consuming work. Moreover, in most poor families both spouses have to work to make ends meet, leading the women to take employment washing people’s houses, or running a little store or tortilla-shop from their house.¹⁵² Nevertheless, the myth of the male breadwinner persists. Although both men and women on the plantations work hard, when the man returns from work, he can sit down, while the woman still has to prepare and clean up after supper, adding to the hours she works.

4.8 Adaptive or “true” preferences?

Not having a vote, and barely a voice, is a grave problem for the women on the plantations, who need the support of the government institutions to challenge discrimination. According to Montejá “the men are afraid that if the women get their rights they will want more power in the home, but we want our rights to take care of the land, and to have something if there is separation”.¹⁵³ The importance of land as an exit option or fall-back position is highlighted by several others. Rosario Pú, from the Land Fund’s women’s unit, argued that the most important effect of property rights for women is the increased security she will have if the husband dies or leaves her.¹⁵⁴ It is possible that this is the only acceptable thing to say, and that women who *do* want land rights in order to have more power in the home would never dare to say so.

In many plantation communities, the women first said that husbands and wives make all decisions together as equals. However, it later became clear that “some men” will not let women participate, and some women admitted that their husband liked “everything served”. Women, both with and without land, seem uncomfortable with demanding power at all. In a group meeting on a plantation, one married woman exclaimed that this land was also hers and that she had a right to a vote in the assembly. This made the other women extremely uncomfortable and nobody seemed to know what to say. These reactions may be the result of so called “adaptive

¹⁵¹ Presentation: Isabel Solís 29.06.05, Guatemala City; Interview: E. Cifuentes, 13.07.05, Quetzaltenango; M. Vay, 08.07.05, Mazatenango.

¹⁵² Interview: B. Thoresen, 16.06.05, Guatemala City; Own observation and conversation with the women, supported by findings of a large consultation (Fontierras 2003b).

¹⁵³ Interview: D. Montejá, 04.07.05, Guatemala City.

¹⁵⁴ Interview: R. Pú Gómez, 28.06.05, Guatemala City.

preferences” which are underlined by Nussbaum (2000:112) and Agarwal (2205: 508). Culture is uneasily changed and one of the widows underlined that even though it is of great importance that women may receive land and a vote without having a man in the house, this does not mean that she and other women with voting rights favour giving the right to vote in the assembly to married women.¹⁵⁵ Thus, one assistant in the women’s unit of Fontierras felt that the biggest challenge was to make both women and men aware of their rights. Further, if the unit had the funds to implement a project with “local promoters” to do this, it would be an important step forward.¹⁵⁶

4.9 The effects of organization

Notwithstanding the lack of implementation of women’s co-property rights, women do to a certain extent participate, and most of the women on the plantations estimated that they participate more now than they did when they were landless and that the change has been gradual. However, no community has had land for more than five years, and this is not enough to change cultural patterns of behaviour even if the implementers of the reform really were to use all possible means to do so. The challenge may be especially great when it comes to family relations, and it is hard to identify clear and general changes between the landless and the land owners. Part of the problem in identifying differences is the women’s efforts to hide any disagreements in the home. One may therefore assume that conflicts in the home is shameful, or is not considered something to share with a stranger. Nevertheless, on the community level some changes can be seen. These are largely connected to access to land, but also to another, intermediate, variable, namely the level of organization in the community, and especially of the women. According to the women, they began changing when they became organized. Also in landless communities with some level of organization this point was made.

¹⁵⁵ Anonymous woman in one of the plantation communities, June 2005.

¹⁵⁶ Interview: M. Velazques, 28.06.05, Guatemala City.

4.9.1 Increased Abilities and Self-Esteem

The effect of being organized is so strong partly because the organizations arrange workshops for the members and most of them emphasize, at least rhetorically, the participation of women. The workshops become the informal education that all the farmers, but especially the women, need to get information on how the process of land access works and why there are obstacles. There are also workshops on agricultural knowledge and other areas where the farmers need education to be able to improve their lives once they access land, such as administration of a project or the accounts for the project.

The factual knowledge that the women get through this kind of workshop is important per se, but it has the added effect of making them realize both that they can learn and that they already possess valuable knowledge. The workshops can be a way to increase women's self-esteem and sense of self-worth. Women learn new skills, but they also learn to speak up in front of a group of people and to voice and value their own opinions. Some of the women were almost afraid to say their names out loud, and when they did it was barely audible. Other women spoke loudly and clearly. These were usually the organized women who participated in workshops and other events. One of the land owning widows observes that many women still have a fear to talk in front of people, especially men, and says: "I used to be like that, but I have trained and educated myself and learned to fight the fear".¹⁵⁷ This woman is now Vice President of the board of the farmer organization that supports her community, and Secretary of the Women's group on the plantation. She is an example of what education and training can contribute to where empowerment is concerned.

Although this form of training and informal education is provided by the organizations at this point, the effect that it seemingly has, is important for future reference for implementers of land reform, provided that they are interested in a functional reform. It has previously been made clear that the support system around the new farmers, especially the women, is crucial for their development both economically and otherwise.

¹⁵⁷ Conversations: Rosalio Ulin de la Cruz 12.07.05 in La Bendición.

4.9.2 Equal Information and Opportunities

Several informants underlined the importance of educating women and men about the rights of both sexes and of making both parties aware of gender as an issue.¹⁵⁸ So far the farmers' organizations have assumed this responsibility, and they approach it differently. While some organizations have separate women's workshops in addition to the regular ones in order to give them specified skills, others see it as sufficient to include women in the regular workshops. The effect may be different in different regions or on plantations with different groups backing them. To avoid differences that may lead some women to live in exclusion whereas others are capacitated and begin to raise their voices, the Land Fund should be a much more active partner in the societies, providing support and assistance to women's groups and women's workshops with clear guidelines. As mentioned earlier, the increased voice and participation of women is positive for the viability of the reforms, as they are seen as more efficient administrators and more diligent debt holders.¹⁵⁹

In order to empower the women and support them in gaining voice and vote on their plantations, the Fontierras needs funding to support women's projects directly. To show the women and the surroundings that they are capable of administering a project will not only increase the women's self-esteem, but may also change the attitudes of the society around them. Although a few see giving them projects as adding another burden to their workload,¹⁶⁰ the women themselves want such projects to help their families escape from poverty,¹⁶¹ and do not seem taken aback with an extra work load. Either way it is of essence that the Land Fund involves itself and uses its gender policy actively. To do this, the Fund must be backed by the government both economically and politically. It is also essential that increased involvement does not lead to unnecessary bureaucracy and retardation of the process, but to an increased focus on what the needs of the beneficiaries, especially the women, really are.

¹⁵⁸ Interviews: I.Y Avila 01.08.05, Guatemala City; R. Pu 28.06.05, Guatemala City, D. Monteja, 04.07.05, Guatemala City; V. Ajpop 14.07.05, Quetzaltenango; V.Ramirez, 30.06.05, Quetzaltenango; PoncioTayún, Kab'awil, 30.06.05, Quetzaltenango.

¹⁵⁹ <http://www.unfpa.org>

¹⁶⁰ Interview: V.Ajpop, 14.07.05, Quetzaltenango.

¹⁶¹ Conversations with the women of La Bendicion and Nuevo Amanecer as well as the landless communities San Augustin and San Rafael I, 01.07.05 - 12.07.05.

4.9.3 The Mayan Cosmovision vs. the empowerment of women?

The majority of farmer's organizations underline of the importance of women's participation, but there are complaints that most powerful positions within the movement are occupied by men. Some organizations actively focus on women, proclaiming they are better and more stable members for the organization to work with. Nevertheless, women's units in the same organizations often do not receive regular funding.¹⁶² Other organizations, especially those with some degree of Maya identity, strongly emphasize that they are not fighting for equality, but for an equilibrium. They refer to the idea that men and women fulfil different roles that complement each other, which can be found in traditional beliefs known as the Mayan Cosmovision. This is true both for *Kab'awil*, for other parts of the umbrella organization *CNOC* and several others.¹⁶³ Sceptics dismiss this as a way to dominate women, whereas other observers underline the right of the Maya to define what "equality of the sexes" means to them, at the same time recognizing the widespread *machismo* that exists in reality.¹⁶⁴

My experience was that this underlining of the difference between equality and complementarity almost always came from the men, and often if a woman was highlighting something that the women had accomplished, or explained to me how they had more confidence now than before. The idea of the equilibrium is sometimes used socially, to repress women. This is not to say that the Cosmovision is to be dismissed as a philosophy but rather that it today is in danger of being used against the empowerment of women. According to Rosario Pu - an indigenous woman with background in the movement - "Indigenous women have a very difficult situation, because in reality participation of women is not practised".¹⁶⁵ This situation needs to be confronted by the leadership of the civil society organizations, and approached with the members. It also further highlights the importance of the involvement of the Land Fund in issues of informal education, so as to provide all women with equal opportunities, instead of leaving a wide spectre of organization at liberty to educate as

¹⁶² Interview: Thelma.Cabrez, Coordinator of CODECA's women's programs, member of the board, 08.07.05, Mazatenango.

¹⁶³ Interview: C. Arriaga, 17.06.05, Guatemala City.

¹⁶⁴ Interview: B. Thoresen, 16.06.05, Guatemala City.

¹⁶⁵ Interview: R.Pú, 04.07.05, Guatemala City.

they please, with no demands from the authorities as to the content where gender and equal opportunities are concerned.

4.10 Increased ability to make meaningful choices

In terms of the impact that access to land has on women's abilities to make meaningful choices, the situation is very complex. The Guatemalan system of redistribution implies land being bought collectively, although each head of household is registered as owner of the debt and in due time owners of land. For many married women, this is where the problem begins, with not being registered as beneficiaries. This leads to many obstacles on their way to claiming their property rights, and also therefore, weakens the effect their legal rights and their physical access to land may have on their ability to control their own lives, and to gain influence and respect in the community.

Widows and single mothers do have a vote. They are also heads of household and the highest authority in their homes, and do not face the same kind of power struggles or need to control some of the family income to the same extent as some married women. However, they are also affected by the collective aspects of their land rights. Most of the important decisions are made by the assembly or the board, where, as mentioned, women are usually outnumbered, and, in some communities, laughed at if they make suggestions the majority of the men do not agree with. In other communities, the women have a stronger voice, but in the end, due to the collective nature of the land holding, they have little room for individual choice making, and when the married women are excluded from voting, it is harder for the women to form a group in the assembly too.

Last, but not least, Kabeer (2002:19) underlines the deep connections between poverty and empowerment, noting that a poor person has little ability to make meaningful choices in the first place. This is very true for the situation of both men and women in Guatemala. Although being a land owner might give a woman the relational power she needs in the home or in the society to send all her daughters to school, she may still not be able to do so, because there is no money for tuition fees or uniforms or because the children are needed as working hands or feed the family. This was the case for the widow I mentioned above and her daughter. Thus, poverty is part of the opportunity structure that surrounds women who are trying to take control over

their own lives. This was clear in my case study area, where the amount of possible “meaningful choices” was limited. If one can measure poverty as a person’s freedom to lead the life of her choice, as Sen’s capability approach suggests, then all the farmers in these communities are poor and the women even more so.

4.11 Summary of parts one and two

In this chapter I have analyzed the ability of the Guatemalan reforms to increase food security and coverage of basic needs, looking more closely at the development the elements which have been underlined as positive for poverty reduction. It is clear that the reform face many challenges in this respect. These are largely connected with the faulty technical assistance, the poor infrastructure and market access as well as corruption and lack of political will in the government and bureaucracy. Furthermore, I have assessed the effect of the Guatemalan land distribution process on the empowerment of women. I have shown variations between landholding and landless communities and that to some extent women’s participation has increased in the plantation communities. Although land is a factor in this development, it is the intermediate variable of organization that seems to have the strongest influence on levels of participation, women’s self-esteem and increased awareness of gender issues and women’s rights in both sexes. The Land Fund’s poor contribution to the protection of women’s rights is seen as a major impediment to the empowerment of women through collective access to land, allowing attitudes that also affect the widows and single mothers. Thus, the malfunctioning of the Land Fund creates obstacles both for increased food security and coverage of basic needs, as well as for the empowerment of women. Five years after the first land was distributed through this system, the living conditions have only just begun to improve on the first plantations and women still lack voice and vote in the communities. In short, there is room for improvement, and in the following chapter I will summarize my findings and conclusions.

5. Conclusion

The land question is an old one in Guatemala, and historically there have been numerous attempts to redistribute land and to delay or stop the process completely. The current reform project has its roots in the 1996 Peace Agreement and has the potential of promoting greater equality and poverty reduction in this post-conflict society. In this study I have taken a closer look at the possible effect that access to land has on poverty reduction and on the empowerment of women. In the following sections, I will briefly sum up the main conclusions of the study.

5.1 The theoretical connections

Theoretically speaking the links between redistribution of land which provides more people with access to it, and poverty reduction, are many. I chose to focus specifically on food security and basic needs. The standard of housing, potable water and education combined with levels of food security gives a good indication of a person's level of poverty in the Guatemalan context. Land is an asset that can be used by the poor to gain access to other assets. Therefore, access to it may provide both higher food security and greater coverage of basic needs, and thus reduce the levels of poverty of the farmers who access land. Furthermore, land can be sold or used as collateral to invest in productive projects, a business venture or to help poor farmers survive a downturn in the economy. On the other hand, this form of distress-sale has a negative long-term effect, leaving the farmers without a means of livelihood, and it is to some extent questionable whether a small plot of land is enough to interest a bank as collateral for a loan.

Access to land is also a useful tool for understanding empowerment of women. Land rights that are properly implemented give women an increased sense of security, and may realistically increase a woman's bargaining power in conflict situations, or function as an exit option, for instance from an unsatisfactory marriage. If a woman is widowed, having legal land rights may increase her ability to control her own life, and not live on the mercy of others. Access to land also has the potential to improve women's self-esteem and may in the long term contribute to changing their status in a community, giving them increased respect. Some of this is attributed to a large degree of income-control that often follows land rights, and leads to increased independence.

Another central question of the study concerned the conditions under which land reform reduces inequality between rich and poor, and between genders. It turns out that land reform must involve a true redistribution of land, and represent a break with traditional rural power structures that completely changes them. Unless the aspects of power connected to land really are considered, this is unlikely to happen, and the reforms will in that case not be as efficient as they could have been.

Looking at examples from different parts of the world, it becomes clear that two other central aspects are the involvement of the state and the activity of civil society. Although completely state-led reforms, like those implemented in Asia, are not a politically possible option in countries like Guatemala today, increased state involvement in the market-based reforms, through increased political will and financial backing of the institutions involved will increase the possibility of success where poverty reduction and empowerment are concerned. As long as sales are voluntary, and not properly monitored, the balance of demand and supply will work to the benefit of those who have land, not those who want it. Furthermore, unless basic services are provided by the state to accompany the purchase of land, the effect on poverty levels is greatly diminished. Examples from Brazil and South Africa also highlight the importance of a politically active and well-functioning civil society that manages to unite the poor in the struggle for truly redistributive land reform.

5.2 Land, power and poverty reduction

Guatemala is a country where land is power, and throughout history attempts at redistribution of it have been blocked, reversed or delayed by large landowners, the armed forces and the CIA. The institutions created by the Peace Agreements are components of a market-based reform, and could have represented a break with this tradition. However, the current institutions are marked by a severe lack of funding and shortage of qualified staff. Most importantly, there is a complete lack of political will to implement this aspect of the Peace Agreements, or to even engage in discussions about the land question. As a result of this, Guatemala still lacks a well-functioning national land registry, and only as late as in 2005, was the law that establishes a national cadastre passed in the national legislature. This has negative effects on another crucial institution, the Land Fund, as it operates in a land market with blurred

definitions of ownership. In addition to its budget problems, the Fund is accused of various forms of corruption, and it does not provide sufficient technical assistance to the new farmers.

One of the great problems of the Guatemalan reform process appears to be the lack of coordination between the different institutions, both in terms of conflict resolution and land purchase. The situation is particularly serious with regard to resolution of land conflicts, where the courts are also involved. I find that landless farmers would have benefited from a coordination of information between institutions. Related to this is also the issue of elite capture of political and administrative institutions. This is particularly borne out from the close ties that exist between the Ministry of Agriculture and the large land owners' organization *Camara del Agro*. When land and power are synonymous, it is not surprising to find that large sections of elites, politicians and bureaucrats are also owners of vast amounts of land. The Minister of Agriculture and the President of the country are two good examples. Thus, the "land question" is a non-issue in government circles, and redistribution of land is not something that is backed by great political will or processed with efficiency in the bureaucracy.

Guatemalan civil society is strongly influenced by two main issues which influence their possibility to lead the land reform in a direction that would benefit the poor. First, inter-organisational rivalry and disagreements prevent them from presenting a united front towards the landed elites, and leave them unable to control the board of Fontierras. Second, as directors in the board of an official land reform institution, the organizations find themselves on both sides of the table in conflict situations, which weakens their ability to function as watchdogs of the system.

In such an environment the potential for reducing poverty remains bleak. Despite this, I enquired whether access to land entitled farmers to increased quantity and improved quality of food, and improved facilities for housing, education and potable water. I was further concerned with studying whether accessing land increases women's ability to make meaningful choices and to participate in decision-making within their communities. The general conclusion is that for food security and basic needs, land may have positive long term effect in increasing standards of living and

entitlements to food. However, in the short term, there is a visible increase in the poverty levels of the new landholding communities, which seems inevitable, even with proper technical assistance. In Guatemala, poor technical assistance prolongs this period unnecessarily and has a strong effect on poverty levels. Thus, the success of redistributive land reform in reducing poverty is extremely dependent on the level and quality of technical assistance following access to land. As long as the reform structure is market-based, access to markets and improved rural infrastructure is crucial for reducing poverty among the rural poor.

Guatemala also faced additional challenges following the devastation in the country caused by hurricane “Stan”, which swept over Central America during the first week of October 2005. In addition to taking thousands of lives, Stan destroyed the homes of the poor and damaged food crops. This further illustrates the urgent need for efficient support and technical assistance and greater political will in both crisis and non-crisis years. This adds to the potential problems that will result when Fontierras stops existing in 2008 as the farmers are likely to need prolonged technical assistance, especially since large parts of the rural infrastructure has been destroyed by the hurricane.

5.3 Increased voice – but no vote

The gender issue is vibrant in Guatemalan official discourse, both in civil society and in the government, and gender policies exist in Fontierras and other institutions. However, the country is still a stronghold for the cultural phenomenon of *machismo*, and the relationship between women and land is also marked by this. In landless communities, women are marginalized, although they are partly included in the land acquisition process. They are often not as informed of the proceedings and facts of the process as men. Further they seldom have the possibility to travel in order to participate in workshops or to evaluate offers of land.

On the plantations, however, there appears to be higher levels of participation in the community among the women. However, social exclusion of women persists, and the land rights of married women are generally not respected. Due to the collective nature of their landholding, considerable power is concentrated in assemblies where married women often have a voice, but do not have a vote. Although widows and

single mothers do have a vote, they are outnumbered by the men in the assembly, and the traditional work they undertake does not qualify as communal duties, thus further increasing their burden. Unfortunately, and by only registering the male part of a couple as a beneficiary of the Fund, Fontierras contributes to this tradition of seeing only men as heads of household and representatives of the family. This study shows that the recurring argument for excluding married women was that they were not “direct beneficiaries”. If certain changes in procedures and attitudes in Fontierras are implemented, it will have far-reaching long-term effects for women’s position in the communities and in the home. Above all, it will contribute to increasing the ability of women to influence their own lives and that of their children. Only a handful of women in my study appeared to be concerned with claiming their ownership rights, although most seemed aware that they possess such rights. Thus, it appears that it is still only socially acceptable to claim ownership rights to land when women are widowed or abandoned by their husbands.

In general, the increased level of participation and voice that can be detected among certain groups of women can be explained in relation to two issues. First, with increased space on the plantations and the physical proximity of living conditions, there is now an increased possibility for women to have their own projects, such as fish ponds. This again may lead to greater ability to control at least part of the income from the project. But perhaps as important as income control, is the fact that running a project may change the way women see themselves, thus increasing their self-esteem. Unlike traditional women’s chores, running a project is considered proper work by the community.

Second, the level of organization among certain groups of farmers has improved. This is a crucial factor determining the effect access to land has on empowerment. Compared to the landless communities, greater numbers of women on the plantations were organized and able to take part in projects and workshops organised and supported by farmers’ organizations. This has positive effects on the situation of women, as they learn to speak up in a group and value their own opinions. However, there is a need for greater governmental control of this informal education process from an equal opportunities point of view. Culture is not something that is

easily changed and many of the organizations underline that they are encouraging a balance between the sexes, but not equality, and very few organisations really challenge the idea that married women cannot vote. Clearly, the support of governmental institutions is crucial for access to land to have a lasting effect on the empowerment of women.

5.4 The way ahead

The attempt at market-based land reform in Guatemala has many flaws. That is not to say that the redistribution of land has been a complete failure in terms of poverty reduction and empowerment of women. The study shows that there has definitely been some positive effects, and it will be of great interest to follow future developments in this field. Empowering women implies a cultural change, and is a process that has only just begun. And, for purposes of accessing land and improving levels of organization, empowerment is of great importance. However, if the redistribution of land is to have a transformative effect on Guatemalan society in the long run, radical political measures must be implemented. The current problems of redistributive land reform are largely a result of a societal structure that has remained essentially unchanged for hundreds of years, and which is especially visible in agriculture. The majority of the poor live in rural areas and are greatly affected by the unchanging agrarian structure. Thus, social transformation within the sector will benefit females even more than males, as women experience higher levels of poverty and greater restrictions than men.

The Peace Agreements in 1996 were a step in the right direction, identifying many of the core problems of Guatemalan society. Unfortunately, only a fraction of the measures outlined in the Agreements have been implemented in the past nine years. Indeed, the current government has done little to break the political tradition of avoiding the structural reasons behind the country's high poverty levels, especially where land is concerned. Redistribution of land has contributed to increased living standards among some of Guatemala's rural poor. However, structural conditions keeping large groups of people in poverty continue to persist, nearly a decade after the end of the war that was fought to change them.

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- Interviews with farmers took place during July 2005, in these communities:**
- Landless: San Augustin, Pacaya; San Rafael, Pacaya; Nuevos Horizontes, Coatepeque
 - Plantations: Nuevo Amanecer, San Lorenzo; El Tesoro, San Antonio; La Bendición, Patulul

¹⁶⁹ Cited in Thomassen (2003)